

CORRESPONDENCE WITH MEXICO.

IN THE HOUSE OF REPRESENTATIVES OF THE U. S.

May 19, 1836.

On motion of Mr. Cushing,

Resolved, That there be printed for the use of the House fifteen thousand extra copies of the message and accompanying documents, in relation to the southwestern frontier of the United States, communicated to the House by the President, on the 14th instant, together with the documents from the War Department, on the same subject, presented to the House on the 6th instant by the Chairman of the Committee of Ways and Means.

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

TRANSMITTING

Reports from the Secretaries of State and War, in compliance with a resolution of the House of Representatives of the 10th instant.

MAY 14, 1836.

Referred to the Committee on Foreign Affairs.

To the Senate and House of Representatives :

In compliance with a resolution of the House of Representatives, of the 10th instant, I transmit reports from the Secretaries of State and War, with the papers accompanying the same.

ANDREW JACKSON.

WASHINGTON, May 14, 1836.

DEPARTMENT OF STATE,
May 13, 1836.

The Secretary of State, to whom was referred a resolution of the House of Representatives of the 10th instant, has the honor to lay before the President, the papers mentioned in the accompanying list, which contain all the instructions to the Chargé d'Affaires of the United States at Mexico; all the correspondence between the two Governments called for, and all other information on the files of the Department supposed to be embraced by the resolution.

JOHN FORSYTH.

To the PRESIDENT of the United States.

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No. 1.

*Mr. Forsyth to Mr. Butler. Extract.*DEPARTMENT OF STATE,
Washington, November 9, 1835.

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The President's views relative to the existing contest in Texas, have been imparted to Mr. Castillo, in a conference I have had with him at this office, and he will, no doubt, communicate them to his Government; but that there may be no room for misapprehension on the subject, it is deemed best that the Mexican Government should also be assured of them through you.

It is the wish of the President, therefore, that as soon as practicable after the receipt of this despatch, you should seek an interview with the Minister of Foreign Affairs, and acquaint him that the President looks with regret upon the unhappy state of things in Texas. That as the United States are, and desire to remain, at peace with the United Mexican States, as all measures enjoined and warranted by law have been and will continue to be taken to enforce respect, by citizens of the United States within their jurisdiction, to the neutrality of their Government, whose desire is to execute in entire good faith the Treaty of Limits, he expects nothing will be done by the Mexican authorities tending to frustrate that desire, or to diminish the friendly sentiments entertained for the Mexican Republic. In the probable event of a protracted war in Texas itself, neither party can be permitted to encroach upon the territorial limits of the United States, or make our soil a battle ground for settling their political dissensions.

I have the honor to be, sir,

Your obedient servant,

JOHN FORSYTH.

No. 2.

*Mr. Forsyth to Mr. Ellis. Extract.*DEPARTMENT OF STATE,
Washington, January 29, 1836.

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You will herewith receive my answer to a late communication of the Acting Minister of Foreign Affairs of the Mexican Republic, complaining of the co-operation of citizens of the United States with the insurgents in Texas. You will deliver this letter to the Minister of Foreign Affairs, and that you may understand the subjects to which it relates, you are herewith furnished with a copy of it, and of the correspondence between this Department and Mr. Castillo concerning them.

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No. 3.

Mr. Butler to Mr. Forsyth. Extract.

LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, March 31, 1835.

SIR: I have great pleasure in being able to tell you, for the information of the President, that the renewal of the Treaty of Limits will be completed within a few days, and I shall bring it with me on my return to the United States. The Mexican Congress is now in session, and the ratification on the part of Mexico will be obtained at once, and the treaty be delivered to you in conformity with instructions sent me in January, 1834. The mere renewal of the treaty is in itself a matter of importance to us, because I am convinced that we shall gain by it jurisdiction over a very valuable tract of country, now either in an unsettled state, or under the dominion of the Mexican Government.

A few weeks since there was no prospect of my being able to conclude this affair previous to my departure from Mexico, for reasons which were communicated to the President of the United States in my last private letter, and I had actually obtained my audience of leave from this Government, with the intention of setting off for Vera Cruz this day, and to return in the New York packet.

The audience was a private one, there being only the President, the Secretary of State, the Secretary of the Treasury, and myself present. At the interview I spoke to the President very frankly, I may, perhaps, add, energetically, upon the several questions pending between the two Governments, and expressed my regret at not having it in my power to bear a more favorable representation of the condition of affairs with Mexico, than candor would compel me to do. I was listened to by all present with apparent interest; but as my course has always been frank and direct, neither my manner nor language would create surprise. At the close of the interview, the Acting President (General Banagan) inquired whether it would be convenient for me to postpone for a short time my departure, in the event of the Government being disposed to entertain my proposition relative to the boundary question, and was answered, that notwithstanding the delay in my departure would occasion some inconvenience to myself, still I would not hesitate to remain for a length of time sufficient for the accomplishment of that object, provided the President gave me assurances that no unnecessary delay would be suffered. When about to leave the audience chamber, the President observed that a communication would be made to me before my departure, and as early as practicable. On the 29th, a note from the Secretary of Foreign Affairs informed me that the treaty should be immediately entered upon and concluded, announcing himself and the Secretary of the Treasury as the plenipotentiaries on the part of Mexico.

We met on the 30th instant, compared and exchanged our powers, and I was requested to prepare the projet. This was done on the evening of the same day, and sent to the plenipotentiaries, who appointed two o'clock to-day for the conference, and where signing and sealing would have followed. At eleven o'clock the enclosed note was received from the chief clerk of the Department of Foreign Affairs, postponing the meeting until to-morrow.

No. 4.

Mr. Ortiz Monasterio to Mr. Butler.

Marzo 31, de 1835.

MUY SR. MIO: El E. S. Ministro me encarga diga à y que por estar muy ocupado no le escribe para anunciarle que por la misma ocupacion no podrá tener hoy la conferencia anunciada, pero que será mañana entre las diez y las diez y media de la mañana de cuya suerte podra aprovecharse todo el dia.

Aprovecho la ocasion para asegurar á V. de la distinguida consideracion con que soy su muy afecto servidor, Q. B. L. M.

JOSE MARIA ORTIZ MONASTERIO.

SR. D. ANTONIO BUTLER,
Secretaria.

No. 5.

Translation.

DEPARTMENT, *Mexico, March 31, 1835.*

SIR: His Excellency the Minister has charged me to inform you that being much occupied, he does not write to inform you that in consequence of such occupation he cannot hold the conference appointed for this day, but that it will take place to-morrow between ten and half past ten o'clock, so that the whole day may be employed.

I avail myself of this opportunity to assure you of my most distinguished consideration.

JOSE MARIA ORTIZ MONASTERIO.

TO ANTHONY BUTLER, &c.

No. 6.

*Mr. Butler to Mr. Forsyth.*WASHINGTON CITY, *June 9, 1835.*

SIR: In pursuance of a leave of absence granted me several months since, by the President of the United States, I have the honor of reporting myself to you as just arrived in this city.

In the despatch by which my leave of absence was communicated, I was directed, previous to my departure from Mexico, to conclude with that Government a treaty, stipulating the revival of the third article of a treaty previously negotiated between the two Governments for adjusting limits and boundary, and which had been suffered to expire.

My instructions have been complied with, the duty is performed, and I have now the honor of presenting herewith the treaty, and have the honor to be,

Very respectfully, sir,

Your most obedient servant,

A. BUTLER.

HON. JOHN FORSYTH,
Secretary of State.

No. 7.

Mr. Castillo to Mr. Dickins.

LEGACION MEXICANA,

Philadelphia, Octubre 14, de 1835.

El infrascripto, Encargado de Negocios de los Estados Unidos Mexicanos, tiene el honor de acusar recibo de la nota del Sr. Asbury Dickins, de 12 del mes actual, asi como de la copia que cubria, y de la carta oficial del Gefe Politico del Departamento de Nacogdoches; y da al Sr. Dickins las mas espresivas gracias por la transmision de los referidos documentos.

El mencionado Gefe politico, en su comunicacion, hace presente que la tribú de los Creeks procedente de Alabama, esta emigrando y estableciendose, sin licencia ó autoridad para ella, en tierras correspondientes al territorio Mexicano; lo cual me pide que yo ponga en el conocimiento del Ejecutivo de los Estados Unidos de America, para que dicte sus providencias á fin de contener á aquella tribú dentro de los limites correspondientes. Y pues la representacion que hace el Gefe del Departamento de Nacogdoches está fundada en el articulo 33 del tratado de amistad vigente entre ambas Republicas, el Infrasin to espera que el Sr. Dickins se servirá participar al Presidente de los Estados Unidos el importe de la presente nota; y que S. E. pará tomar providencias ejecutivas para que en la suposicion de que no se haya equivocado en lo que espone aquel Gefe Politico, se repriman las incursiones en territoria Mexicano de la tribú de los Creeks que habitan el de estos Estados Unidos.

Aprovechandose de esta ocasion, el Infrascrito renueva al Sr. Dickins las seguridades de su distinguida consideracion.

J. M. DE CASTILLO Y LANZAS.

Honorale Sr. ASBURY DICKINS.

No. 8.

Translation.

PHILADELPHIA, *October 14, 1835.*

The undersigned, Chargé d'Affaires of the United Mexican States, has the honor to acknowledge the receipt of a note from Mr. Dickins, dated the 12th inst. with the copy enclosed, and the official letter from the Political Chief of the Department of Nacogdoches; for the transmission of which documents he expresses the most sincere thanks to Mr. Dickins.

The said Political Chief, in his letter communicates, that the tribe of Creeks from Alabama, is now emigrating and establishing itself in lands belonging to Mexico, without any license or authority to that effect; he therefore requests me to state the fact to the Executive of the United States of America, in order that measures may be taken to restrain that tribe within its proper limits. As the representation made by the Political Chief of the Department of Nacogdoches, is founded on the thirty-third article of the existing treaty of friendship between the two Republics, the undersigned hopes that Mr. Dickins will submit the import of this note to the President.

of the United States, and that his Excellency will cause the requisite executive measures to be taken, if the fact should be as stated by the Political Chief, in order to repress any incursions into the Mexican territory on the part of the Indians who inhabit that of the United States.

The undersigned avails himself of this opportunity, to renew to Mr. Dickens the assurances of his distinguished consideration.

J. M. DE CASTILLO Y LANZAS.

To the Hon. ASBURY DICKINS.

No. 9.

Mr. Castillo to Mr. Forsyth.

LEGACION MEXICANA,

Filadelfia, Octubre de 29, de 1835.

El Infracrito Encargado de Negocios de los Estados Unidos Mexicanos, ha sido informado de que en Nueva York—"se aprestan varios buques, los cuales deben reunirse con otros en la Baliza de Nueva Orleans, en numero no menos de doce, para navegar unidos con destino á lo costa de Texas. El obgeto de la expedition," continua el aviso, "es introducir en aquella colonia, armamentos y municiones de guerra para auxiliar á los Colonos en su pronunciamiento contra el Supremo Gobierno de la Republica. De dichos buques, algunos parece que van armados, para defender la expedicion de los cruzeros nacionales que haya sobre aquellas costas, y destruirlos, "que han salido de Nueva York ultimamente dos otras barcas con armas y municiones para Texas."

El que suscribe tiene el honor de poner este aviso que ha recibido por diferentes conductos en el conocimiento del Sr. Secretario de Estado de los Estados Unidos, para que se sirva participarlo al Esmo. Sr. Presidente, de cuya inflexible rectitud espera que en obsequio de la paz y buena armonia que veinan entre ambas Naciones, dictara las providencias que el caso ecsige para poner un termino á aquellos procedimientos é impedir absolutamente que se réaliren, y que se proyecten otros nuevos de la misma clase; órden necessarissima, en el sentir del Infracrito, en las actuales circunstancias, puesto que á tal punto ha llegado el menosprecio conque, en algun caso se han mirado las obligaciones que nacen del tratado de amistad entre los Estados Unidos Mexicanos y los de America, que segun nota oficial dada por el Consul Mexicano en Nueva Orleans, consta que entre el 10 y 11 del presente, salió de aquel puerto para Brazoria, la goleta Americana *San Felipe con su mismo Capitan W. E. Hurd*, llevando este buque, "bastante reforzado su armamento al abrigo del cual va cargado de pertrechos y municiones de guerra," y sin tener un solo documento como debiera, de aquel Consul Mexicana: Semejante conducta habla por si misma; y el que suscribe cree sinceramente que ella será desaprobada en sumo grado por el Presidente de los Estados Unidos.

El Infracrito tiene el gusto de réiterar al Sr. Forsyth, en esta ocasion, las seguridades de su muy distinguida consideracion.

J. M. DE CASTILLO Y LANZAS.

Honorable Sr. JUAN FORSYTH, &c.

No. 10.

Translation.

MEXICAN LEGATION,

Philadelphia, October 29, 1835.

The undersigned, Chargé d'Affaires of the United Mexican States, has been informed that "at New York several vessels were in preparation, which were to join others at the Balize of New Orleans, not less than twelve in number, and to sail together for the coast of Texas. The object of the expedition," continues the notice, "is to introduce into that colony arms and munitions of war, for the assistance of the colonists in their insurrection (*pronunciamento*) against the supreme Government of the Republic. Of these vessels, some, it appears, are armed for the defence of the expedition against the national cruizers now upon those coasts, and, if possible, for the destruction of those cruizers. I have been assured," concludes the writer, "that two or three vessels have lately sailed from New York with arms and ammunitions for Texas."

The undersigned has the honor to submit this information, which he has received through various channels, to the notice of the Secretary of State of the United States, in order that he may communicate it to his Excellency the President, from whose inflexible rectitude he hopes that, for the sake of the peace and harmony subsisting between the two nations, he will order such measures as the case may require for putting an end to these proceedings, and absolutely preventing others of the same class from being carried into execution, or projected. Such an order is most necessary in the opinion of the undersigned under the present circumstances, as the contempt of obligations arising from the treaty of friendship between the United Mexican States and those of America has reached such a point, that according to an official notice, received from the Mexican Consul at New Orleans, it is certain that between the 10th and 11th of this month, the American armed schooner *San Felipe* sailed from that port for *Brazoria*, with the same captain, *N. E. Hurd*, and "having her defences much strengthened, under the protection of which she goes laden with warlike stores and ammunition," and without a single paper which she should carry from the Mexican Consul. The undersigned sincerely believes that this conduct will be viewed with disapprobation by the President of the United States.

The undersigned has the pleasure to renew to Mr. Forsyth, on this occasion, the assurance of his distinguished consideration.

J. M. DE CASTILLO Y LANZAS.

HONORABLE JOHN FORSYTH, &c.

Extract from a letter from the Acting Secretary for Foreign Affairs of the Mexican Republic, to the Secretary of State of the United States.

A. S. E. el Sr. Secretario de Estado y del Despacho de Relaciones Exteriores de los Estados Unidos de America.

PALACIO DEL GOBIERNO NACIONAL.

Mexico, Noviembre 19, de 1835.

El Infrascrito, Oficial Mayor Encargado del Despacho del Ministerio de Relaciones de la Republica Mexicana, ha recibido ordenes de S. E. el Pre-

idente, para dirigirse al Gobierno de los Estados Unidos, por conducto del Sr. Secretario de Estado de la misma, sobre dos asuntos de la mayor importancia á entrambas Naciones, puesto que de no elucidar los bien y con la propia fé que caracterizan á las dos podria llegar el caso de que se supusiesen rotos y á los lazos de amistad y reciproca confidura, que los han ligado hasta aqui, con menoscabo entonces de la justicia, de la razon, y del interes mutuo. El Infrascrito, al elevar esta comunicacion al Sr. Secretario de Estado de los Estados Unidos, en cumplimiento de su yá enunciado deber, disfruta la satisfaccion de podeole asegurar desde luego, que su Gobierno crée conocer harto bien los principios de equidad que han dirigido en todo tiempo al Gabinete de Washington, y tiene demasiado presentes las pruebas de afecto y simpatia que ha dado este siempre en favor del bienestar de la Republica Mexicana, para no dudar como en afecto no duda, de que sus reclamaciones seran atendidas tan luego como se las reconozcan fundadas, y con el mismo empeño conque lo son las reclamaciones de aquellos Gobiernos mas amigos.

El primer asunto sobre el cual crée el Infrascrito deber llamar la atencion del Sr. Secretario de Estado de los Estados Unidos, es la notoria co-operacion conque muchos habitantes de la Louisiana estan auxiliando y fomentando la causa de los colonos insurgentes de Texas. Estos Mexicanos, puesto que ni son ni pueden ser otra cosa, desde que dejaron de ser voluntariamente lo que eran, jamas se hubieran atrevido á desconocer tan publica y tan alevosamente sus deberes hacia su patria adoptiva, sino hubieran esperado hallar tan cerca de su frontera, y con miras puramente interesadas, de unos cuantos especuladores Americanos un apoyo pronto y eficaz.

Des graciadamente para ellos mismos, no se equivocaron en sus calculos, y de ahique aun antes de haber alzado el estandarte de la rebellion, hayan estado recibiendo de sus amigos de Nueva Orleans, cuantos combustibles podian necesitar para preparar y llevar adelante el incendio que va á devorar necesariamente sus nacientes propiedades, sinó abren pronto los ojos, y se someten de nuevo á la autoridad nacional que han ultrajado; la que si bien no quiere ni pretende vengarse, est á con todo firmamente resuelta á hacerse respetar en todos los puntos de su inmenso territorio. Los Colonos pues de Texas han obtenido y obtienen diariamente de Nueva Orleans, socorros de toda especie, en viveres, en municiones y pertrechos de guerra, en dinero, en soldados que se alistan publicamente en aquella Ciudad, y que salen de alli armadas para llevar la guerra á una nacion amiga, y para dificultar en su sola presencia la solucion pacifica de una question meramente domestica. Tambien en Nueva Orleans se han formado juntas que con to da publicidad dirigeni6 se ingieren en los asuntos lejanos, y á por médio de la imprente, yá en reuniones provocadas ostensiblemente con este determinado objeto, se trata incesantemente de generalizar entre todos los ciudadanos de los Estados Unidos las mismas miras que unos cuantos tienen sobre el porvenir de Texas: en otros terminos se trata de dar un colorido de Nacionalida Americana á lo que no es en si, otra cosa que mera especulacion de varios aventureros de diferentes especies.

El Infrascrito reconoce desde luego que muchos de estos hechos han podido y pueden rélivarse en Nueva Orleans, á cubierto de la misma liberalidad de las instituciones Americanas, sinque las autoridades locales ni el Gobierno de la Union, hayan podido legalmente impedirlo, principalmente aquellos que han tenido o pueden tener relacion con la imprenta libre, con las libertades individuales ó con las franquicias concedidas al comercio de

exportacion. Por lo mismo, el Gobierno del Infrascrito ni debe ni solicitar otra cosa en el particular del de los Estados Unidos, sine que tome to das aquellas medidas que su profia ley lepermita, para impedir en lo posible los perjuicios que se originan a una Nacion amiga, y con quien está ligada por tanta especie de vinculos, de una intervencion estrangera aunque seade particulares en una disencion puamente de familia.

JOSE MARIA ORTIZ MONASTERIO.

No. 12.

Translation.

PALACE OF THE NATIONAL GOVERNMENT, MEXICO,
November 19, 1835.

The undersigned, chief officer, charged with the direction of the department of relations of the Mexican Republic, has received orders from his Excellency the President, to address the Government of the United States, through its Secretary of State, on two subjects of the utmost importance to both nations : as should they not be presented in a clear light, and treated with that good faith which characterizes the intercourse between those nations, the bonds of friendship and reciprocal confidence which have hitherto united them, may, in a certain contingency, be considered as broken, in defiance of justice, reason, and mutual interests. The undersigned, while addressing this communication to the Secretary of State of the United States in performance of his duty, has the satisfaction to be able at once to state with confidence, that his Government conceives itself to be too well acquainted with the equitable principles which have ever directed the Cabinet of Washington, and remembers too distinctly the proofs of affection and sympathy at all times displayed by that Cabinet in favor of the prosperity of the Mexican Republic, to have the slightest doubt that its complaints will be attended to as soon as they are found to be established on just grounds ; and that they will be treated with the consideration shown towards those of the most friendly Governments.

The first subject to which the undersigned thinks proper to call the attention of the Secretary of State of the United States, is the notorious co-operation of a great number of the inhabitants of Louisiana, in aiding and advancing the cause of the insurgent colonists of Texas. These Mexicans, for they neither are nor can be viewed otherwise than as Mexicans, having voluntarily ceased to be what they previously were, would never have ventured in so open and shameless a manner, to abandon their duty to their adoptive country, had they not expected to receive ready and effective support from American speculators established near their frontiers, with views purely interested.

Unfortunately for themselves, the colonists of Texas were not mistaken in their calculations, and before raising the standard of rebellion, they had received from their friends in New Orleans, the combustibles required for kindling and spreading the conflagration ; this conflagration must certainly destroy their infant establishments, unless they quickly open their eyes to the impending danger, and again submit the authority of the Government which they have outraged ; and which, although it neither desires nor intends to take vengeance, is nevertheless firmly resolved to enforce respect

to itself, in every part of our immense territory. The colonists of Texas have since obtained, and continued to obtain, daily from New Orleans, succors of every kind, in provisions, arms, ammunition, money, and even in soldiers, who are openly enlisted in that city, who sail from it armed for war against a friendly nation; and by their mere presence render more difficult the pacific solution of a question purely domestic. Societies have, moreover, been formed in New Orleans, which publicly direct or interfere with affairs foreign to their country, either through the instrumentality of the press, or by meetings called ostensibly for the determined object of rendering general, throughout the United States, the views of a few individuals with regard to Texas. In other words, attempts are made to give a color of nationality to that which is a mere speculation on the part of some adventurers of various sorts.

The undersigned is well aware that many of these acts might have been, and still may be, effected at New Orleans, under cover of the very liberality of the American institutions, and that the authorities of the Union may have been unable, legally, to prevent them, especially such as involve questions connected with the freedom of the press, individual liberty, or the privileges allowed to American commerce. For this reason, the Government of the undersigned neither should nor does solicit any thing in this case from the Government of the United States, except that it should employ every measure permitted by its own laws, for preventing, as far as possible the injury which a friendly nation, connected with the United States by bonds of every kind, may sustain from the interference even of private individuals in a question entirely domestic.

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JOSE MARIA ORTIZ MONASTERIO.

To his Excellency the SECRETARY OF STATE,
and Foreign Relations of the United States of America.

No. 13.

Mr. Castillo to Mr. Forsyth.

PHILADELPHIA, Diciembre 11, de 1835.

ESTIMADO SR. MIO: En el mensaje reciente del Presidente de los Estados Unidos, el párrafo dedicado á mi pais concluye con las siguientes palabras: "*It has been thought necessary to apprise the Government of Mexico that we should require the integrity of our territory to be scrupulously respected by both parties.*"

En efecto, me acuerdo bien de loque sobre esto se dijo en nuestra conferencia á principios del mes proximo pasado, y admito que el deséo de este Gobierno esmujusto y no puede ser otro el del Gobierno de Mexico. Lo unico sobre lo cual estimaria á Y que se sirviese responderme afin de que en todo se proceda con la oportuna claridad y buena inteligencia, es erto: Al hacer de la espresion arriba citada, el Ejecutivo de estos Estados deséa indica por ventura, que reconoce o tros limites que no sean los esprescemente determinados y señalados en el tratado respectivo articulo 2do?

Yo cres que Ymd. verá en este consulta que promuero el interés que

tomo en procurar evitar cual quiera equivocacion ó falsa interpretacion que pudiese turbar las amistosas relaciones entre ambas republicas.

Soy de Ymd.

Con el debido respeto,

Mui atento servidor,

J. M. DE CASTILLO Y LANZAS.

SR. D. JUAN FORSYTH,

Secretario de Estado de los Estados Unidos.

No. 14.

Translation.

PHILADELPHIA, December 11, 1835.

MOST ESTEEMED SIR: In the late message of the President of the United States, the paragraph relative to my country concludes thus: "*It has been thought necessary to apprise the Government of Mexico that we should require the integrity of our territory to be scrupulously respected by both parties.*" Now, I recollect well what was said on this subject in our conference at the beginning of the last month, and I admit that the desire of this Government is most just; it cannot be other than the desire of the Mexican Government. The only point on which I should be happy if you would inform me, in order that all proceedings in this affair should be conducted with clearness and perfect understanding on both sides, is this: In making use of the expression quoted above, does the Executive of these United States perchance intend to convey the idea, that he recognises limits which are not those expressly determined in the second article of the treaty between the two countries?

I think, sir, you will see, that I am induced to put this question by the interest which I take in preventing any equivocal or false interpretation which might lead to a disturbance of the friendly relations between the two Governments.

I am, sir, with due respect,

Your most obedient servant,

J. M. DE CASTILLO Y LANZAS.

To Mr. JOHN FORSYTH,

Secretary of State of the United States.

No. 15.

M. Gorotiza to Mr. Forsyth.

WASHINGTON, 4 de Abril, de 1836.

El Infrascripto, Enviado Extraordinario y Ministro Plenipotenciario de la Republica Mexicana, ha leído con sentimiento en algunas de los periodicos que se publican en Tennessee y Kentucky, que Felix Huston, Esq. de Natches, está asistiendo actualmente en el primero de dichos estados, y vistiendo y armando á su costa, un cuerpo de voluntarios cuyo numero

rata de que ascienda á el de quinientos hombres y con el cual se propone encamirarse á Tejas, á principios del proximo mes de Mayo, para aumen-
 ár allí las filas de los colonos sublevados. A lo menos tá es lo que resulta
 le una carta suya, que se ha insertado en varios de aquellos periodicos, y
 le la que el infrascripto tienc el honor ahora de acompañar un tanto al
 honorable Sr. Juan Forsyth, Secretario de Estado de estos Estados Unidos,
 con el objeto de que en su vista se tomen por el Gobierno Federal, aquellas
 medidas que en se concepto parezcan suficientes á nulificar el proyecto que
 Huston intenta llevar á cabo, con menosprecio de las leyes mismas del país,
 y de los principios mas obvios y recibidos del derecho internacional.

El infrascripto pudiera tambien denunciar al Sr. Forsyth, otros hechos
 de igual naturaleza que están pasando en los referidos Estados de Tennessee
 y Kentucky á consecuencia sin duda de la especie de cruzada que han pre-
 dicado allí los llamados comisionados de Tejas, entre otros el proyecto de
 levantar una compañía en Nashville, á expensas de la damas de esta ciudad ;
 pero comsel infrascripto ha tenido la satisfaccion de saber que algunos de
 aquellos hechos habicen llamado ya la atencion del Gobierno Americano y
 merecido su des aprovacion, no créee neesario por lo mismo, detenerse por
 mas tiempo en la enumeracion y reclamacion de unos males que quizás á
 estas horas estaván ya en gran parte remediados, gracias á la equidad y
 provision de este Departamento de Estado.

El Infrascripto, Enviado Extraordinario y Ministro Plenipotenciario de
 la Republica Mexicana, se utiliza de esta oportunidad para réiterar al
 honorable Señor Juan Forsyth, Secretario de Estado de estos Estados
 Unidos, las seguridades de su aprecio y alta consideracion.

M. E. DE GOROSTIZA.

Hon. JEAN FORSYTH, &c.

No. 16.

Translation.

WASHINGTON, April 4, 1836.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary of
 the Mexican Republic, has read with pain in some of the newspapers pub-
 lished in Tennessee and Kentucky, that Felix Huston, Esq. of Natchez, is
 actually engaged in the former of those States, in enlisting, clothing and
 arming, at his own expense, a corps of volunteers, the number of which is
 expected to be no less than five hundred, with whom he proposes to march
 to Texas in the beginning of the ensuing month of May, in order to
 increase the forces of the rebel colonists. Such at least is the deduction to
 be drawn from a letter of his, published in several of the newspapers, of
 which the undersigned has the honor to send one to the honorable John
 Forsyth, Secretary of State of these United States, in order that having
 seen it, the Federal Government may take such measures as in its concep-
 tion may appear sufficient to arrest the plan which Huston proposes to
 carry into execution, in contempt of the laws of the country itself, as well
 as of the most obvious and acknowledged principles of international law.

The undersigned might also denounce to Mr. Forsyth, other acts of the
 same nature, which are now in progress in the said States of Tennessee
 and Kentucky, in consequence no doubt of the sort of crusade which has
 been preached there, by persons calling themselves Commissioners from

Texas; among others the project of raising a company at Nashville, at the expense of the ladies of that city; but as the undersigned has had the satisfaction of knowing that some of these acts have already attracted the notice of the American Government, and have merited its disapprobation, he does not consider it necessary to spend more time at present in enumerating and complaining of evils which may perhaps have been already in a great measure remedied, thanks to the equity and foresight of the Department of State.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, avails himself of this opportunity to repeat to the honorable John Forsyth, Secretary of State of these United States, the assurances of his esteem and high consideration.

M. E. DE GOROSTIZA.

Honorable JOHN FORSYTH,

Secretary of State of the United States.

[*Printed enclosures in Mr. Gorostiza's note of April 4, 1836.*]

The following is an extract of a letter from Felix Huston, Esquire, of Natchez, who, it appears, is raising troops for the Texian service. Mr. Huston, who has been for some years an eminent and successful lawyer of Mississippi, was born and educated in this State, where he was distinguished for his talents, his lofty sense of honor, and his bold and chivalrous daring. If any of our friends are desirous of going to Texas to aid in the struggle for independence, they cannot go under a braver and more accomplished leader. We particularly invite the the attention of emigrants to an article under the head of "Texas," in our paper of to-day. It comes from a source of unquestionable authenticity, and the information contained in it may be of service.

NATCHEZ, *March 4, 1836.*

DEAR SIR: You will be surprised, probably, to hear that I am going to Texas, but such is the case. I contemplate starting about the first of May, and expect to take with me about five hundred emigrants. I am making preparation for arms, ammunition, uniforms, &c. &c. at an expense of \$40,000, and shall have a rendezvous, and begin to send on supplies, by the first of May.

I wish to get some men from Kentucky. I should find no difficulty in getting as many as I want here, but there will be more difficulty in rejecting those I do not want, and who will not suit me, than in obtaining offers.

I intend to arm and uniform the men well, and provide supplies for 12 months, and I wish not to risk my fortune, my life, and my honor, with men on whom I cannot rely. Such as go with me must be willing cheerfully to undergo the hardships and privations incidental to such enterprises, and preserve strict discipline.

I wish to get hardy, active, and enterprising men, who have made up their minds and will abide by their resolution. I am making arrangements to obtain advantageous terms for those who emigrate to Texas with me, and shall, in a few days, have an agent at the convention which is now setting.

I will communicate to the public the terms on which men can join me,

when my agent returns. But this much is now certain, that they will be favorable. Those who go to Texas this year; will readily find employment on good terms.

Your friend,
FELIX HUSTON.

From the Kentucky Gazette.

The following is an extract of a letter from Colonel Austin, dated Nashville, and which has been politely handed us for publication: "The greatest enthusiasm pervades all ranks and sexes here in favor of the cause of Texas. The ladies of Nashville have offered to furnish the means of arming and transporting a company of volunteers to Texas; it is now raising and will soon be ready. This generous and disinterested act of patriotism is worthy of imitation, and will fill a bright page in the brilliant record of female magnanimity and devotion to the cause of liberty, of philanthropy, and religion. Such is the cause of Texas. We are contending for the right of self-government, and of worshipping God according to the dictates of our conscience. Our object is independence. I hope that the great and patriotic State of Kentucky will join her sister States of the south in aiding us; a fine field is presented for the enterprising. This contest once over, (and it will soon be over,) and Texas will rise and prosper very rapidly."

No. 17.

Mr. Gorostiza to Mr. Forsyth.

WASHINGTON, 23 de Abril, de 1836.

Honorable Sr. JUAN FORSYTH, &c.

Contestacion del infrascripto Manuel E. de Gorostiza a la comunicacion que le hiro verbalmente el Sr. Forsyth, en la conferencia que tuve on el 20 de Abril, de 1836, en la Secretaria de Estado, y cuyo Memorandum recibí el 21 del mismo mes de dicho Departamento.

En la conferencia de 20 de Abril, tuvo a bien el Sr. Forsyth comunicar al Infrascripto, cierta medida que el Gobierno Americano se proponia tomar, con motivo de los asuntos de Tejas; y el Infrascripto considerando desde luego aquella comunicacion de mucha gravedad, reconocio con franqueza su imperfecto conocimiento del idioma Ingles, y suplicó al Sr. Forsyth, que para evitar cualquiera mala inteligencia de parte del Infrascripto; le hiciese aquel le honor de repetirle por escrito y por medio de un simple memorandum cuanto le acababa de manifestar. El Señor Forsyth accedió a ello con su acostumbrada urbanidad y a el dia siguiente le pasó al Infrascripto el memorandum en cuestion.

De este memorandum resulta que el Sr. Forsyth le digo al Infrascripto en la mencionado conferencia:

"Que a consecuencia de la guerra de Tejas, de los movimientos de alguno ciudadanos de los Estados Unidos sobre el Rio Rojo, y de los recelos que se tenien de que existen intenciones hostiles por parte de los Indios de

Mexico contra los Estados Unidos, y por parte de los Indios de los Estados Unidos contra Mexico, se ivan à dar ordenens à el General Gaines, para que tome con las tropas de los Estados Unidos una posicion tal que le procure los medios de preservar los territorios de los Estados Unidos y de Mexico de los excessos de los Indios, y el territorio de los Estados Unidos de cualquier violacion por parte de los Mexicanos, Tejanos ò Indios, durante los disturbios que desgraciadamente ocurren en aquella region.

“Que las tropas de los Estados Unidos recibirian la order de proteger lor Comisarios y Geometras de los dos Gobiernos, cuano estos se junten para ejecutar lo que sobre el particular previene el tratado de limites entre los Estados Unidos y la Republica Mexicana. Que si, en cumplimiento de su deber, las tropas se adelantan mas allá del terreno que Mexico puede suponer que pertenece a el territorio de los Estados Unidos, la ocupacion de la posicion no debede ser considerado como indicante de ningun sentimiento hostil hacia Mexico, ni como-deseo por parte de los Estados Unidos, de establecer una posesion ò un derecho qualquier de que no esté justificado por el tratado de limites; siendo la dicha ocupacion como lo serra entonces, meramente precaucional, provisional.

“De consiguiente que la posicion serra abandonada, tan luego como (señalada que fuere ya la linea divisoria y marcados que fuesen los verdaderos limites) los disturbios cesasen en aquella region, por ser ellos el unico motivo de aquel paso.”

En cuanto al primer punto, el Infrascripto reconoce la justicia que asiste à el Gobierno de los Estados Unidos, cuando solicita preservar su territorio de cualquier genero de violacion; y ninguna observacion por lo mismo se le puede ofrecer sobre el particular, siempre que la posicion que tome ahora el General Gaines esté dentro de los limites concidos de los Estados Unidos. Créese sin embargo manifestar al Sr. Forsyth, apporechándose con gusto de esta ocasion, que el Gobierno Mexicano conoce demasiado bien lo sagrado que es el territorio de cualquier Nacion vecina, para no haber dado à los Comandantes de las tropas Nacionales en Tejas, las ordenes mas terminantes de respetar y hacer respetar las fronteras del de los Estados Unidos. Tambien se utiliza de esta oportunidad para agradecer en nombre de su Gobierno, que una de las instrucciones que se hayan de dar al General Gaines, sea la de preservar al territorio Mexicano de los excesos de los Indios de los Estados Unidos, y se lisongea que igualmente y por el mismo principio de equidad y benevolencia hacia Mexico, se le encargará al propio tiempo à este General, se oponga à la introduccion en Tejas de cualquier Ciudadano Americano, que armado ò con el titulo de Colonos, intente en adelante pasar la frontera para unirse a las filas de los sublevados.

El Infrascripto excnentra asi mismo un extremo conveniente, que las tropas del General Gaines protejan, cuando llegue el caso, las operaciones de los comisarios y geometras que hande señalar y marcar la linea divisoria entre las dos pases, y à cuyo efecto se hande reunir en Natchitoches dentro del termino de un ano à contar dede el propio dia 20 de Abril de 1836, enque se firmo el instrumento que les impone dicha obligacion; y el Infrascripto puede ademas asegurar, desde a hora, que las tropas Mexicanas contribuirán tambien entonces si se creyere necésario al mismo objeto, por ser uno mismo el interés de entrambos Gobiernos en el asunto y por que de consiguiente tienen los dos iguales deberes que llenar, para que se lleve à cabo pronto y bien.

Pero por lo que respecta à la suposicion, que contiene el tercer punto

de la comunicacion, el infrascripto no puede figurarse que se llegue á realizar algun dia, persuadido como lo está de que el Gobierno de los Estados Unidos no ha de querer insistir en un acto que, si se verifica, ha de herir notoriamente los derechos é intereses de una Nacion independiente y amiga. El infrascripto crée que cualquier posicion que tome el General Gaines, mas allá de los limites conocidos de los Estados Unidos, no puede ser sobre otro terreno que sobre uno que pertenece al Territorio Mexicano, y que le dere pertenecer hasta que los Comisarios y Geometras (unicos jueces en la materia por el Tratado de 1828) fallen en contra de Mexico, y adjudiquen alguna parte de aquel terreno à los Estados Unidos por creerlo comprendido en la linea conocida. Entretanto Mexico tiene à su favor el derecho de una posesion constante, y durante la cual ha ejercido alli todos los actos de la soberania; ha legislado, ha nombrado las autoridades, ha mantenido guarniciones, ha enagenado terrenos &c. Y no se diga que los Estados Unidos reclamaron alguna véz, despues que se les cedio la Luisiana, sobre la propiedad de tal ó cual fraccion de Tejas, ó que ahora mismo existen todaria dudas sobre la naturaleza ó denominacion de tal ó cual localidad, el tercer articulo del Tratado de 1823, en concepto del Infrascripto, puso finá todas las pretensiones de las Partes Contratantes, determinando una linea divisoria, y confiando á unos arbitros, con el derecho de marcar aquella linea, la facultad de resolver cualquier duda, de remover cualquier estorbo. A ellos pues les toca decidir, y solo cuando decidan es cuando debe acabar en justicia el presenté *in statu quo*. Asi lo entendió sin duda el Mismo Sr. Butler, Encargado de Negocios de los Estados Unidos, cuando urgiendo al Ministro de Relaciones Mexicano en 21 de Dicièmbre de 1834, sobre la necesidad de dar pronto cumplimiento al referido tercer articulo del Tratado de limites, anadio—"y observará tan solo (el Sr. Butler) que Mexico se halla ocupando una gran parte de territorio que el Gobierno del Infrascripto crée justamente pertenecer à los ciudadanos de los Estados Unidos, segun la construccion racional de todos los tratados que se han celebrado sobre el particular; y como es notorio y sabido que tanto el Gobierno de Mexico, como los de los Estados, han concedido ya una gran parte de este territorio a varios nativos y extrangeros, la pronta conclusion de este negocio llega à ser cada vez mas urgente. Puede acasodarse confesion mas explicita que la del Sr Butler sobre la posesion en que estaba Mexico de aquella parte que creyo Butler pertenecer los Ciudadanos de los Estados Unidos a sobre su conviccion deque solodando entero cumplimiento à el Tratado, eva como se podia poner un termino legal à el estado de cosas de que se quejaba.

Que la medida de que se trata no sole herira á Mexico en hederecho como nacion independiente, sino que tambien la perjudicaria en sus intereses, nada es mas facil de provar. La presencia de un cuerpo de tropas neutrales en el mismo teatro de la guerra, no podia menos de embarasar las operaciones del Ejercito Mexicano, de favorecer indirectamente à los Tejanos, y de serun continuo riesgo de involuntaria colision. Cuanto mas se adelantara el General Gaines, mas se estrecharia el circulo en que se podian mover los beligerantes, y mas necesidad habra de acercarse al cordón que formaran las tropas de los Estados Unidos. Y como en un pais tan inmenso y despoblado como est Tejas, serra un imposible determinan bien la linea delindicado cordón, por una cadena de puestos militares que se eslabonarán entre si; que en podia impedir entonces à los Tejanos, si se veian perseguidos alguna vez por destacamentos Mexicanos, el guarecerse á espaldas de las tropas de los Estados Unidos, pasando la

línea por donde no estuviera guardada? Y como habrecen de saber los Mexicanos en donde habran de detenerse, para no violar aquella línea? Y que havian las tropas de los Estados Unidos con M^{te} Tejaros que se ponidu hasta cierto punto bajo su proteccion, ó con los exosicanos que impelidos por el ardór del combate les siguieran al alcance? El infrascripto se arredra con la idea de los males que el menor incidente podria accarrear en cuelquiera de estas hypothesis, á dos países que tantos motivos tienen de estimarse, y cuyas relaciones son en el dia, tan francas, tan amigables!

Ahora bien, si el infrascripto su puede admitir (segun lo ha manifestado ya y por los razones que ha manifestado) la suposición de que, el General Gaines pueda tomar posición sobre un terreno poseido por Mexico, hasta que se marque la línea divisoria entre los dos países, del modo que determina el artículo tercero del tratado de límites; como ha de poder admitir la suposición con que termina la comunicacion del Sr. Forsyth? El hecho de no abandonar el General Gaines la posición tomada, aun cuando estuviera ya incluida dentro de los límites marcados de Mexico, y hasta que cesaran los disturbios de Tejas, equivaldria á una verdadera ocupacion militar de una parte del territorio de Mexico, y á una intervencion indirecta en sus asuntos domesticos. Y nada de esto pueden afetecer ni querer los Estados Unidos, en su estado actual de relaciones con Mexico.

El infrascripto concluye esperando que el Gobierno Americano tomara en consideracion esas observaciones, y que por lo mismo no llegará el caso de que se autorice al General Gaines para tomar la posición adelantada á que alude esta contestacion.

M. E. DE GOROSTIZA.

No. 18.

Translation.

Reply of the undersigned, Manuel Eduardo de Gorostiza, to the communication made to him, verbally, by Mr. Forsyth, in the conference between them, held on the 20th of April, 1836, at the Department of State; of which conference he received a memorandum from the said Department on the 21st of the same month.

In the conference of the 20th of April, Mr. Forsyth thought proper to communicate to the undersigned, a certain measure which the American Government proposed to take respecting the affairs of Texas; and the undersigned, immediately considering that communication of great importance, frankly acknowledged his imperfect acquaintance with the English language, and requested Mr. Forsyth, with a view to prevent any misunderstanding on the part of the undersigned, to do him the honor to repeat to him in writing, and in form of a simple memorandum, what he had just communicated. Mr. Forsyth acceded to this request, with his accustomed politeness, and on the ensuing day sent to the undersigned the memorandum requested.

From this memorandum, it appears, that Mr. Forsyth stated to the undersigned at the said conference—

That, in consequence of the contest in Texas, the movements of some citizens of the United States on the Red river, and apprehended hostile intentions of the Indians in Mexico against the United States, and of the

Indians within the United States against Mexico, orders would be given to General Gaines to take such a position with the troops of the United States, as would enable him to preserve the territory of the United States and of Mexico from Indian outrage, and the territory of the United States from any violation by the Mexicans, Texians, or Indians, during the disturbances unfortunately existing in that quarter.

That the troops of the United States would be ordered to protect the commissioners and surveyors of the two Governments whenever they should meet to execute the instructions to be prepared under the treaty of limits between the United States and the United Mexican States.

That, should the troops, in the performance of their duty, be advanced beyond the point Mexico might suppose was within the territory of the United States, the occupation of the position was not to be taken as an indication of any hostile feeling, or of a desire to establish a possession or claim not justified by the treaty of limits; the occupation would be precautionary and provisional; and that the position would be abandoned whenever (the line being run, and the true limits marked,) the disturbances in that region should cease—they being the only motive for it.

With regard to the first point, the undersigned acknowledges the justice of the views of the Government of the United States in desiring to preserve its territory from any species of violation, and no observation can be made on the subject, as long as General Gaines remains within the known limits of the United States. He however thinks it his duty to observe to Mr. Forsyth, availing himself with pleasure of this opportunity, that the Mexican Government recognises the sacredness of the territory of every neighboring nation too much, not to have given the most particular orders to the commanders of the national troops in Texas, to respect and cause to be respected the frontiers of the territory of the United States. He also avails himself of this opportunity to express thanks in the name of his Government, for the instruction given to General Gaines to preserve the Mexican territory from the outrages of the Indians of the United States; and he flatters himself, that in like manner, and in accordance with this principle of equity and good feeling towards Mexico, orders will be given at the same time to that General, to oppose the entrance into Texas of any American citizen, who may attempt to pass the frontiers armed, or as a colonist, for the purpose of joining the ranks of the rebels. .

The undersigned considers it also very proper, (*conveniente*) that General Gaines's troops should protect, in case of need, the operations of the commissioners and surveyors, who are to settle and mark the dividing line between the two countries, and to meet for that purpose at Natchitoches within one year from the 20th of April, 1836, the date of the signature of the convention imposing that obligation; and the undersigned can moreover immediately give assurance, that the Mexican troops will also contribute to the same object whenever it may be deemed necessary, as the interest of the two Governments is the same, and as they are consequently equally called on to do whatever may be requisite for carrying it into effect well and speedily.

But with regard to the supposition contained in the third point of the communication, the undersigned cannot conceive that it could be realized, being, as he is, persuaded that the Government of the United States cannot desire to insist upon an act, which if done, would be clearly injurious to the rights and interests of an independent and friendly nation. The un-

dersigned conceives that any position which General Gaines may take beyond the known limits of the United States, cannot be upon ground other than that belonging to the Mexican territory, and which should belong to it, until the commissioners and surveyors (the sole judges in the affair by the treaty of 1828,) should decide against Mexico, and adjudge a portion of that territory to the United States, on the grounds that it is comprehended within the line agreed upon. In the mean time, Mexico has in its favor the right of a constant possession, during which it has exercised there all the acts of sovereignty, has legislated, has appointed the authorities, has kept garrisons, has disposed of lands, &c.

And if it be said that the United States have, at periods since the cession of Louisiana, claimed such or such parts of Texas, or that there are still doubts as to the nature or denomination of such or such locality, the third article of the treaty of 1828 puts an end to all pretensions of the contracting parties, by fixing a dividing line, and confiding to arbiters, by giving them the power to lay down that line, the faculty of resolving all doubts, and removing all difficulties. With them, therefore, rests the decision; and it is only after such decision, that the present *in statu quo* can justly terminate. This was doubtless the understanding of Mr. Butler, the chargé d'affaires of the United States, when urging the Minister of Relations of Mexico, on the 21st of December, 1834, respecting the necessity of speedily carrying into effect the said third article of the treaty of limits, he added, "he would only observe, that Mexico was actually occupying a large territory which the Government of the undersigned considered as justly belonging to the citizens of the United States, according to the rational construction of all the treaties concluded on the subject; and as it was well known, that not only the Government of Mexico, but that of the United States, had already granted a large part of this territory to various natives and foreigners, the prompt conclusion of this affair became every day more urgent."

Can there be a more explicit confession than this of Mr. Butler's, respecting the possession by Mexico of the part which he considered to belong to the citizens of the United States, and of his conviction that the only means of legally terminating the state of things of which he complained, was, by carrying the treaty into full effect?

That the measure in question would not only affect the rights of Mexico as an independent nation, but also injure its interests, it is most easy to prove. The presence of a body of neutral troops in the very theatre of the war, cannot fail to embarrass the operations of the Mexican army, to favor the Texians indirectly, and to create a constant risk of collision. The further General Gaines advances, the more restricted will be the circle within which the belligerents can move, and the greater will be the necessity for approaching the cordon formed by the troops of the United States. And in a country so vast and unpeopled as Texas, how impossible will it be to determine well the line of such a cordon by a chain of military posts linked together. Who can then prevent the Texians, if they find themselves pursued at any time by Mexican detachments, from taking refuge behind the troops of the United States, by passing a line which is unguarded? How can the Mexicans know where they are to stop, so as not to violate the said line? And what will the troops of the United States do with the Texians who thus, in a manner, place themselves under their protection, or with the Mexicans, who impelled by the ardor of the fight, should pursue in order to take them. The undersigned shudders at the idea of the evils whic

the slightest incident may occasion in either of these cases to two countries which have so many motives for esteeming each other, and whose relations are now so frank and so amicable !

If the undersigned cannot now admit (as he has shown, and for reasons which he has given,) the supposition, that General Gaines may take a position on a territory possessed by Mexico, until the dividing line between the two countries be marked out according to the terms of the third article of the treaty of limits, how can he admit the supposition with which Mr. Forsyth's communication ends ?

That General Gaines should not abandon the position taken, even though it be included within the assigned limits of Mexico, until the disturbances of Texas should cease, would be equal to a real military occupation of a part of the territory of Mexico, and to indirect intervention in its domestic affairs ; and the United States can by no means desire this, nor view it with satisfaction, considering the state of their existing relations with Mexico.

The undersigned concludes by hoping that the American Government will take these remarks into consideration, and that no case will occur which might authorize General Gaines to assume the advanced position to which this reply alludes.

M. E. DE GOROSTIZA.

No. 19.

Mr. Gorostiza to Mr. Forsyth.

Washington, 28 de April, de 1836.

El Infrascripto Enviado Extraordinario y Ministro Plenipotenciario de la Republica Mexicana, habiendo recibido la replica que informalmente le transmitio en 26 del corriente, el Honorable Sr. Juan Forsyth, Secretario de Estado de estos Estados Unidos, à su contestacion al memorandum de la conferencia de 20 del mismo, tiene el honor de protestar hoy à dicho Sr. Secretario de Estado, y an la mayor sinceridad, que nunca ha abrigado ni aun momentaneamente, la idea, de que los Estados Unidos pudieran querer intervenir de modo alguno en los disturbios de sus vecinos y que por el contrario, el convencimiento en que estaba de la rectitud de los principios que en todo tiempo han dirigido la politica de este Gobierno, fue precisamente, lo que lo hisò extenderse en su contestacion, algo mas quira de lo que se acostumbra ordinariamente en semejante clase de documentos, segun de que se disvirtuaria cualquiera otra consideracion, tan luego como el Infrascripto lograra patentir al Sr. Forsyth que era justo hacia Mexico, y de mutua conveniencia para los dos paises el que, en la actual crisis de Tejas, la posesion anterior fuese la unica regla que guiase por ahera en el reconocimiento mutuo de los limites respectivos, y hasta tanto que los comisarios y geometras marcasen la verdadera linea divisoria.

Felizmente, y si el Infrascripto no ha comprendido mal la replica del Sr. Forsyth, la opinion de este Sr. Secretario de Estado coincide esencialmente en este punto capital con la del Infrascripto, en el hecho mismo de asegurarle que las tropas del General Gaines no tomaran posicion en terreno alguno que conocidamente este fuera de los limites de los Estados Unidos ; y puesto à seguirse naturalmente de este principio, que dicha posesion no ha de poder estar en ningun caso en terreno poseido por Mexico, de antema-

nos y que paga estado de consiguiente, dentro de sus limites conocidos. El Infrascripto agradeciera mucho à el Sr. Forsyth, tubiese a bien informarle si en efecto no so ha equivocado, para poder entonces escribir à su Gobierno en este sentido, y darle esta nueva prueba de la equidad y buena fêe, que caracterizan à el Gobierno Americano en todas sus relaciones con Mexico.

El Infrascripto, del propio modo que el Sr. Forsyth, no quiere entrar tampoco, por parecerle obvia, en la cuestion de si el territorio de Tejas que linda con los Estados Unidos, pertenece a Mexico y à los Mexicanos que han hecho en Tejas, ò si pertenece à los extrangeros que se han sublevado alli. Tampoco encuentra conveniente insistir ahora, en discutir hipoteticamente lo que podra convenir a los dos Países, marcada que se à la linea, y con respecto à la posesion que entonces ocupen las tropas de los Estados Unidos; por que el Infrascripto espera con algun fundamento, que para entonces habra ya desaparecido la necesidad de dicha ocupacion; y por que, aunque desgraciadamente nõ sucedo este, ha de ser muy dificil siempre que el Gobierno Mexicano no considerè cualquier cuestion que entonces se suscite, bajo el mismo punto de vista que la consideré cualquier otro poder imparcial.

El Infrascripto Enviado Extraordinario y Ministro Plenipotenciario de la Republica Mexicana, se aprovecha de esta ocasion para renovar al Honorable Sr. Juan Forsyth, Secretario de Estado de estos Estados Unidos las seguridades de su mi distinguida consideracion.

M. E. DE GOROSTIZA.

Honorable Sr. JUAN FORSYTH, &c. &c.

No. 20.

Translation of a letter from the Mexican Minister.

WASHINGTON, April 28, 1836.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, having received the reply addressed to him informally on the 26th instant, by the honorable John Forsyth, Secretary of State of the United States, to his answer to the memorandum of the conference held on the 20th instant, has the honor now to assure the Secretary of State, with the utmost sincerity, that he has never for a moment entertained the idea, that the United States could seek to interfere in any way in the disturbances of their neighbors; and that on the contrary, he had been induced, by his conviction of the rectitude of the principles which have at all times guided the policy of this Government, to extend his reply somewhat beyond the bounds assigned by custom to that class of documents; being assured that all other considerations would be unnecessary, as soon as the undersigned should succeed in demonstrating to Mr. Forsyth, how just it was to Mexico, and how mutually convenient for both countries, that in the present state of things in Texas, former possession should be the only rule for the mutual determination of the respective limits, until the commissioners and surveyors shall have marked out the true dividing line.

Fortunately, if the undersigned has rightly comprehended Mr. Forsyth's reply, the opinion of the Secretary of State coincides essentially on this capital point, with that of the undersigned, so far as regards the assurance that General Gaines's troops will not take a position on any ground known

to be beyond the limits of the United States; and as a natural consequence from this principle, that such position can in no case be on ground previously possessed by Mexico, and, of course, within its known limits. The undersigned would thank Mr. Forsyth to have the kindness to let him know whether he has been mistaken on this point, in order that, if not, he may immediately inform his Government accordingly, and communicate to it this new proof of the justice and good faith which characterize the American Government in all its relations with Mexico.

The undersigned, as little as Mr. Forsyth, desires to enter into the question, apparently so obvious, whether the Territory of Texas, which lies adjacent to the United States, belongs to Mexico, and to the Mexicans born in Texas, or to the foreigners who have risen in insurrection there. Nor does he consider it proper at present, to insist upon discussing hypothetically, what might be suitable for both countries, after the line shall have been marked, with respect to the position which the troops of the United States may then occupy; as the undersigned has some reason to hope, that the necessity for the said occupation will ere that time have disappeared, and as even though this should unfortunately not be the case, it is by no means probable, that the Mexican Government will consider the question, then occurring, in a light different from that in which it would be viewed by any impartial power.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, avails himself of this opportunity to renew to the honorable Mr. Forsyth, Secretary of State of the United States, the assurances of his distinguished consideration.

M. E. DE GOROSTIZA.

To the Hon. JOHN FORSYTH, *Secretary of State.*

No. 21.

Mr. Gorostiza to Mr. Forsyth.

WASHINGTON, 4 de Mayo, de 1836.

El infrascripto, Enviado Extraordinario y Ministro Plenipotenciario de la Republica Mexicana, ha visto con sincera sentimiento, por la nota informal que el Honorable Sr. Juan Forsyth Secretario de Estado de estos Estados Unidos, le ha hecho el honor de transmitirle en 3 del corriente, que el Gobierno Americano no ha ovido deber tomar en consideracion las observaciones que el Infrascripto juzgó de su obligacion dirigir á el Departamento de Estado en 23 y 28 de Abril ultimo, sobre la posicion que podran tomar las tropas del General Gaines en cierto caso alli determinado; y que de consiguiente la cuestion, por lo que respecta á los Estados Unidos, subsiste siempre tal como la consideró el Sr. Forsyth en la conferencia de 20 de Abril. A el Infrascripto por lo tanto no le queda en su concepto otra cosa que hacer, que noticiar a su Gobierno la determinacion del Gobierno Americano y esperar sus ordenes. Asi lo verificavá por la primera ocasion que se le presente, remitiends al Ministro de Relaciones de la Republica en Mexico, copias literales de la correspondencia que ha mediado solve el particular entre el Departamento de Estado y esta Legacion Extraordinaria.

El Infrascripto anadira tan solo que seria muy de deséar en todo evento que el General en Gefe del Exercito Nacional en Tejas, pudiera recibir á tiempo de su Gobierno las instrucciones convenientes sobre el posible

movimiento del General Gaines mas allá de los limites conocidos de los Estados Unidos; por que de est modo sabria aquel cual eva el verdadero objecto de dedicho morimiento, si se verificaba, y tomaria entonces indudablemente cuantas medidas estuvieran en sus atribuciones y facultades para evitár por su parte cualquier motivo de disgusto ó compromiso entre dos naciones tan intimamente amigas como lo són las dos Republicas.

El Infrascripto Enviado Extraordinario y Ministro Plenipotenciario de la Republica Mexicana, tien el honor de réiterar con este motivo al Honorable S. Juan Forsyth, Secretario de Estado de estos Estados Unidos, las seguidades su he muy distinguida consideración.

M. E. DE GOROSTIZA.

Honorable Sr. JUAN FORSYTH, &c. &c.

No. 22.

Translation.

WASHINGTON, *May 4, 1836.*

The undersigned, Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, has learned with sincere regret, from the informal note which the honorable John Forsyth, Secretary of State of these United States, did him the honor to address to him on the 3d instant, that the American Government has not thought proper to take into consideration the observations which the undersigned believed it his duty to direct to the Department of State on the 23d and 28th of April last, respecting the position which the troops of General Gaines might assume in a certain case therein stated; and that, consequently, the question, as regards the United States, still remains the same as Mr. Forsyth considered it to be, in the conference of the 20th of April. The undersigned, therefore, conceives that nothing is left for him to do, except to inform his Government of the determination of the American Government, and to await its orders. This he will do by the first opportunity, transmitting to the Minister of Relations of the Republic at Mexico, literal copies of the correspondence which has passed on the subject, between the Department of State, and this Legation Extraordinary.

The undersigned will only add, that it would be very desirable in any event, that the general in-chief of the national army in Texas, might receive in proper time from his Government, the necessary instructions with regard to the possible advance of General Gaines beyond the known limits of these United States, as the former would thus know the real object of such an advance, in case it did take place, and would then adopt, without doubt, such measures as might be within his attributes and faculties for avoiding, on his part, any cause of discontent or quarrel (*compromiso*) between two nations so intimately friendly as the two Republics.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, has the honor to repeat to the honorable John Forsyth, Secretary of State of these United States, the assurances of his most distinguished consideration.

M. E. DE GOROSTIZA.

To the Honorable JOHN FORSYTH, &c.

No. 23.

Mr. Gorostiza to Mr. Forsyth.

WASHINGTON, 9 de Mayo, de 1836.

El infrascripto, Enviado Extraordinario y Ministro Plenipotenciario de la Republica Mexicana, ha visto en el Globo de ayer, y contanto sentimiento como extrañeza, que en las instrucciones que el Sr. Secretario de la Guerra dirijio al General Gaines, en 25 de Abril ultimo, se la autorizará este general para que, en caso de necesidad, llegue con sus tropas hasta Nacogdoches "for estar aste antiguo fuerte," dice el Secretario de la Guerra, "dentro de los limites de los Estados Unidos segun los reclama esta Gobierno." El infrascripto no puede, atinar porcierto en que se funda el Gobierno Americano para crée que Nacogdoches estará dentro de los limites que corresponderán á los Estados Unidos, cuando se señale y demarque la linea divisoria entre los dos paises, que determina el articulo 3º del existente tratado; por que por mas que el infrascripto has consultado el mapa de Melish publicado en Philadelphia y perfeccionado en 1818, unica autoridad en la materia que con arreglo á dicho tratado, reconocerá el Gobierno Mexicano, no ha podido hallar otra cosa sino que Nacogdoches está situato muchas millas masallá del rio Sabina, y de consiguiente muy dentro del indisputable territorio de Mexico.

El infrascripto no sabe tampoco que haya halido reclamacion alguna de semejante naturaleza por parte del Gobierno Americano, y este le parece tanto mas extraño cuanto que el infrascripto autes de ausentarse de Mexico pudo examinar toda la correspondencia que habia mediado de muchos años á esta parte entre los dos Gobiernos solve limites, sinque recuerde a hora haber encontrado alli nada que destruya su aserto, á no ser la sola y vayga indicacion que contiene la nota del Sr. Butler mencionada ya por el infrascripto en una de ses ultimas comunicaciones.

El infrascripto, por lo tanto, se vé hoy en la triste necesidad de dirigirse al honorable Sr. Juan Forsyth, Secretario de Estado de estos Estados Unidos, para protestan en nombre de su Gobierno, como protesta por la presente, contra la autorizacion dada al General Gaines para llegar con sus tropas al punto de Nacogdoches; per que la considera en su esencia, y en sus posibles efectos, como una violacion positiva del territorio conocidamente Mexicano.

El infrascripto trivo ya el honor de manifesta al Sr. Forsyth en 23 y 28 de Abril ultimo, bajo que punto de vista consideraba la comunicacion que este Sr. Secretario de Estado le hizó en la conferencia de 20 del mismo; y si bien en 4 de Mayo, se comprometio hasta cierto punto, á esperar las ordenes de su Gobierno sobre el particular, no fue ciertamente por que hubiera cedido de su derecho, sino porque ni del memorandum de la conferencia, nide las comunicaciones escritas del Sr. Forsyth, pudo nunca deducir el infrascripto, se le hubiera determinado ya al General Gaines el terreno que podia recorer con sus tropas, y el punto donde se debía de parar.

El infrascripto se aprovecha de esta oportunidad, para renovar al Hon. Sr. Juan Forsyth, Secretario Estado, las sequiridades de su distinguida consideracion.

M. E. DE GOROSTIZA.

Honorable Sr. JUAN FORSYTH, &c.

No. 24.

Translation.

WASHINGTON, *May 9, 1836.*

The undersigned, Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, has seen in the *Globe* of yesterday, with a degree of regret, equal to his surprise, that in the instructions addressed by the Secretary of War to General Gaines, on the 25th of April last, that general has been authorized, in case of necessity, to advance with his troops to Nacogdoches, "which old fort," says the Secretary of War, "is within the limits of the United States as claimed by this Government."

The undersigned cannot form any conjecture with certainty, as to the grounds on which the American Government believes that Nacogdoche would be within the limits of the United States, when the dividing line between the two countries, determined by the third article of the existing treaty, shall have been run and marked down, because, although the undersigned has consulted Mellish's map, published in Philadelphia and improved in 1818, the only authority on the matter which the Mexican Government will recognise, agreeable to the treaty, he has not been able to find any other thing, than that Nacogdoches is situated several miles beyond the Sabine river, and consequently far within the indisputable territory of Mexico.

The undersigned is, moreover, not aware that any claim of this nature has ever been advanced on the part of the American Government; and this appears so much the more strange to him, as the undersigned, before leaving Mexico, was enabled to examine all the correspondence which had for many years been carried on between the two Governments, on the subject of limits, and does not recollect to have found any thing there contradicting his assertion, unless it be the solitary and vague indication contained in Mr. Butler's note of the 21st December, 1834, already mentioned by the undersigned in one of his late communications. The undersigned, in consequence, finds himself now under the sad necessity of addressing the honorable John Forsyth, Secretary of State of the United States, for the purpose of protesting against the authorization given to General Gaines, to go with his troops to Nacogdoches, because he considers it essentially, and with regard to its possible effects, as a positive violation of the territory which is known to be Mexican.

The undersigned had the honor already, on the 23d and 28th of April last, to inform Mr. Forsyth, under what point of view he considered the communication made to him by the Secretary of State, in the conference held on the 20th of that month, and if he, in a manner, engaged to await the orders of his Government on the subject, it was assuredly not because he yielded his right, but because neither from the memorandum of the conference, nor from the written communications of Mr. Forsyth, could the undersigned have gathered that General Gaines had already been instructed as to the ground which he might overrun with his troops, and the point where he was to stop.

The undersigned avails himself of this opportunity to renew to the honorable John Forsyth the assurances of his distinguished consideration.

M. E. DE GOROSTIZA.

Hon. JOHN FORSYTH,

Secretary of State.

No. 25.

Mr. Gorostiza to Mr. Forsyth.

LEGACION EXTRAORDINARIA MEXICANA, U. S. A.

Washington, 10 de Mayo, de 1836.

MUY SENIOR MIO S de la publicacion aislada del memorandum que contiene la comunicacion que V. me hizo en la conferencia de 20 de Abril, no resultará otro perjuicio que el mio personal, colocandome como me ha colocado con respecto al publico Americano, en una posicion sumamente desagradada, quiza podria yo todaira hacer con gusto el sacrificio de mi amor propio, y desentenderme de este incidente, para no complicar mas con el un asunto que por desgracia se va ya complicando demasiado. Pero V. conocera, Sr. Secretario de Estado, que los efectos de aquella publicacion no se limitan ahi; y que de mi aparente silencio se ha inferido ya en el seno mismo del Congreso, que he estado aruente á la medida adoptada por los Estados Unidos, ó que por lo menos, nada he tenido que observar en su contra. Y. V. sabe que este no ha sido el caso. V. conocerá tambien, que los periodicos que se han ocupado del asunto llegan á mi Pais por una casualidad, antes que llegan alli mis comunicaciones podré aparecer ante mis conciudadanos, aunque momentaneamente, bajo un punto de vista nada favorable. Por estas consideraciones, y confiado con vazón en la equidad de este Gobierno, me ves en la necesidad de solicitar de V. que por aquel medio que mejor le parezca, se rectifique un error que tantos perjuicios me trae como Representante de la Republica Mexicana en estos Estados Unidos.

Aprovecho esta ocasion Señor Secretario de Estado, para réiterar a V. las seguridades de mi muy distinguida consideracion.

M. E. DE GOROSTIZA.

Al Honorable Sr. JUAN FORSYTH, &c.

No. 26.

Translation.

MEXICAN LEGATION EXTRAORDINARY, U. S. A.

Washington, May 10, 1836.

SIR: If the publication by itself (*aislada*) of the memorandum containing the communication made to me by you in the conference of April 20th, could have no other bad effect than to place me, as it has placed me, in a very disagreeable position with regard to the American public, I might perhaps willingly sacrifice my own self love, and pass by (*desentenderme*) this circumstance, in order not thereby to involve farther an affair which is unfortunately becoming too complicated already. But you, Mr. Secretary of State, must know that the effects of this publication will not end there; and that from my apparent silence, it has been inferred even in Congress, that I have assented to the measure adopted by the United States, or at least, that I have made no observations in opposition to it. This, you, Sir, know is not the case. You must also be aware that if the newspapers which have entered upon this subject, should by chance arrive in my coun-

try before my communications reach it, I might appear in the eyes of my fellow citizens, although but for a moment, under a light by no means favorable.

For these reasons, and having good grounds for confiding in the equity of this Government, I am under the necessity of requesting you, sir, to adopt such means as you may consider most proper, to rectify an error which may do me so much injury as the representative of the Mexican Republic in these United States.

I avail myself of this opportunity, Mr. Secretary of State, to repeat to you the assurances of my high consideration.

M. E. DE GOROSTIZA.

To the Hon. JOHN FORSYTH, &c.&c.

No. 27.

Mr. Forsyth to Mr. Castillo.

DEPARTMENT OF STATE,
Washington, October 22, 1835.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of the note of Mr. Castillo, Chargé d'Affaires of the United Mexican States, dated the 14th instant, relative to alleged encroachments of Creek Indians from the United States, upon the Mexican territories. A copy of Mr. Castillo's note having been referred to the Secretary of War, who is charged with the superintendence of Indian affairs, that officer has stated that no information has been received by the War Department, showing that the Creek Indians from Alabama, are removing into the Mexican possessions; that there has not been, during this season, any emigration of Creek Indians from Alabama, and that the War Department has, on all proper occasions, by direction of the President, discountenanced the project of those Indians for removing into the province of Texas.

From this it would appear that the political chief of Nacogdoches has been misinformed. But should it be otherwise, it may be doubtful whether, under the 33d article of the treaty, the intervention of the United States could be claimed or afforded, unless the Indians manifested some hostile intention. If Indians going from the United States, or elsewhere, should migrate to the Mexican territories with peaceable intentions, it will be for the Mexican Government alone to decide upon their admission or exclusion.

Though the general terms used in the representation of the political chief of Nacogdoches, would justify the President in expecting a more explicit statement, showing at what times and places, and under what circumstances the Indians are alleged to have entered the Mexican territories, he has preferred directing this explanation to be made, without delay, in order that there may be no room for doubt as to his views on the subject.

The undersigned avails himself of the occasion to offer Mr. Castillo renewed assurances of his distinguished consideration.

JOHN FORSYTH

Senor Don J. M. DE CASTILLO Y LANZAS.

No. 28.

*Mr. Forsyth to Mr. Castillo.*DEPARTMENT OF STATE,
Washington November 10, 1835.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of the note of Mr. Castillo, Chargé d'Affaires of the United Mexican States, dated the 29th of October, and to acquaint you in that, in conformity with the President's views relating to the existing state of affairs in Texas, which the undersigned had the honor to impart in large to Mr. Castillo in an interview at this office, on the 4th instant, the district attorney of the United States at New York, as well as the district attorney at New Orleans, has been instructed to prosecute any persons within the jurisdiction of his district, who have attempted or who may attempt to compromise the neutrality of this Government, by proceedings in violation of those laws of the United States, which have been enacted for the purpose of preserving peace, and fulfilling the obligations of treaties with foreign powers.

The undersigned prays Mr. Castillo to accept renewed assurances of his high consideration.

JOHN FORSYTH.

SEÑOR DON J. M. DE CASTILLO, &c. &c.

No. 29.

*Mr. Forsyth to Mr. Castillo.*DEPARTMENT OF STATE,
Washington, December 16, 1835.

SIR: In answer to your letter of the 11th instant, I have the honor to inform you, that remarks made by the President in a message to Congress, were not deemed a proper subject upon which to enter into explanation with the representative of a foreign Government. I take occasion to add, however, that if there be any matter connected with the relations between our two countries on which it may be interesting to you to receive further information than that conveyed in our conversation to which you refer, I shall be happy to afford it whenever your convenience permits you to visit me at this Department.

I have the honor to be, sir,

Your obedient servant,

JOHN FORSYTH.

SEÑOR DON J. M. DE CASTILLO Y LANZAS.

No. 30.

Mr. Forsyth to Mr. Castillo.

The undersigned, Secretary of State of the United States, has the honor to inform Mr. Castillo, Chargé d'Affaires of the Mexican Republic, in answer to his note of the 13th instant, that this Department will avail itself of the occasion of the departure of Mr. Ellis for Mexico, which will take

place immediately to answer through him the communication of the acting Minister of Foreign Affairs of the Mexican Republic, dated the 19 of November last, and referred to in Mr. Castillo's note.

The undersigned embraces this opportunity to renew to Mr. Castillo the assurances of his high consideration.

JOHN FORSYTH.

DEPARTMENT OF STATE,
Washington, January 14, 1836.

No. 31.

Mr. Forsyth to Mr. Castillo.

DEPARTMENT OF STATE,
Washington, February 13, 1836.

The undersigned, Secretary of State of the United States, has had the honor to receive the note of Mr. J. M. de Castillo y Lanzas, Chargé d'Affaires of the Mexican Republic, dated the 4th instant. The Acting Minister of Foreign Affairs of the Mexican Republic having, by his communication of the 19th of November last, thought proper to address himself directly to the undersigned concerning the differences with Texas, the undersigned deems it unnecessary, at present, to continue a correspondence with Mr. Castillo on those subjects. In pursuance of the intention expressed in his note to Mr. Castillo, of the 14th ult. the undersigned has made Mr. Ellis, who will soon be in Mexico, the bearer of the answer of this Department to the communication of the acting Minister of Foreign Affairs. Mr. Ellis has, also, been instructed to acquaint the Mexican Government that he is ready to pursue the further discussion of the business at the Mexican capital, if it should be thought necessary. The undersigned will, however, be happy to renew the discussion with Mr. Castillo, if, in the opinion of the Mexican Government, there should be any sufficient reason for such a course, and if Mr. Castillo should be specially instructed to that effect.

The undersigned renews to Mr. Castillo the assurances of his distinguished consideration.

JOHN FORSYTH.

SEÑOR DON J. M. DE CASTILLO Y LANZAS,
S^c. S^c. S^c.

No. 32.

Mr. Forsyth to Mr. Gorostiza.

DEPARTMENT OF STATE,
Washington, April 9, 1836.

The undersigned, Secretary of State of the United States, has received the note which Mr. Gorostiza, Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, did him the honor to address to him on the 4th instant, accompanied by extracts from newspapers, showing that,

in despite of the laws of their country, Felix Huston, Esquire, of Natchez, contemplated raising and equipping troops, and that a company was to be raised at the expense of the ladies of Nashville, to aid the Texians. Mr. Gorostiza also intimates that other projects, of a like character, are on foot in Tennessee and Kentucky, and requests that such measures as may be necessary to arrest them may be taken by this Government.

Mr. Corostiza is aware that the attorney of the United States for the eastern district of Tennessee has already been instructed to prosecute any persons in his district who have offended, or who may offend, in the manner complained of. He will likewise be directed to do whatever may be necessary and proper to frustrate the schemes of Mr. Huston and the ladies of Nashville; and the attorneys of the United States for Mississippi and Kentucky will be enjoined to enforce the law against similar wrongdoers within the jurisdiction of their districts.

The undersigned offers to Mr. Gorostiza renewed assurances of his most distinguished consideration.

JOHN FORSYTH.

His Excellency SENOR DON MANUEL EDUARDO DE GOROSTIZA,

Sr. Sr. Sr.

No. 33.

Mr. Forsyth to Mr. Gorostiza.

Memorandum, for Mr. Gorostiza, of what was said to him by Mr. Forsyth in their conference on the 20th April, 1836.

Mr. Forsyth stated to Mr. Gorostiza that, in consequence of the contest in Texas, the movements of some citizens of the United States on the Red River, and apprehended hostile intentions of the Indians in Mexico against the United States, and of the Indians within the United States against Mexico, orders would be given to General Gaines to take such a position with the troops of the United States as would enable him to preserve the territory of the United States and of Mexico from Indian outrage, and the territory of the United States from any violation by the Mexicans, Texians, and Indians, during the disturbances unfortunately existing in that quarter; and that the troops of the United States would be ordered to protect the commissioners and surveyors of the two Governments whenever they should meet to execute the instructions to be prepared under the treaty of limits between the United States and the United Mexican States. Should the troops, in the performance of their duty, be advanced beyond the point Mexico might suppose was within the territory of the United States, the occupation of the position was not to be taken as an indication of any hostile feeling, or of a desire to establish a possession or claim not justified by the treaty of limits. The occupation would be precautionary and provisional, and would be abandoned whenever (the line being run and the limits marked) the disturbances in that region should cease, they being the only motive for it.

April 21, 1836.

No. 34.

Mr. Forsyth to Mr. Gorostiza.

Mr. Forsyth's informal reply to Mr. Gorostiza's answer to the memorandum of the conference between them on the 20th instant.

Mr. Gorostiza has obviously not comprehended clearly the observation made to him by Mr. Forsyth on the 20th instant, or he would not have thought it necessary to make the extended reply which has been informally submitted. Mr. Gorostiza seems to take it for granted that General Gaines will be ordered to take a position in Texas on territory known to be beyond the limits of the United States. By referring to the paper given to him at his request, Mr. Gorostiza will see that the expression is, "Should the troops of the United States, in the performance of this duty, be advanced beyond the point *Mexico might suppose* was within the territory of the United States, the occupation of the position," &c. &c.

This notice to Mr. Gorostiza was not intended to express the intention to occupy a post within the acknowledged known limits of Mexico, but to apprise Mexico that if General Gaines should occupy a position supposed by each Government to be within its limits, that occupation would not be used either as the foundation of a claim or to strengthen a claim—the sole purpose being to enable this Government to do its duty to itself and to Mexico—and the concluding paragraph, with respect to the abandonment of any post thus occupied which might be found within the territory of Mexico was intended to convey the information that that abandonment would take place as soon as that fact was ascertained, unless the disturbed condition of the country at that time should render its continued possession indispensable to the safety of the United States, and under circumstances which would justify the occupation, if not in the judgment of the Mexican Government itself at least in that of every impartial power. Mr. Gorostiza must not understand that the Government of the United States intends to interfere in any manner in the disturbances of its neighbors. The troops of General Gaines will be employed only in protecting the interests of the United States and those of the Mexican territory according to the obligations of the treaty between the two powers. Whether the territory beyond the United States belongs to the Mexican Government, or the newly declared Texian State is a question into which the United States does not propose to enter. It is a territory protected by the treaty of limits between Spain and the United States, subsequently recognised by the treaty between Mexico and the United States. In this view it will be considered; and while this Government sees with great regret the sanguinary struggle which is carried on there, it does not permit itself to look to the result, being prepared, whatever that may be, rigidly to perform its own engagements.

JOHN FORSYTH.

WASHINGTON, April 26, 1836

No. 35.

*Mr. Forsyth to Mr. Gorostiza.*DEPARTMENT OF STATE,
Washington, May 3, 1836.

In reply to Mr. Gorostiza's informal note of the 23th ultimo, Mr. Forsyth has the honor to state that, except in case of necessity, General Gaines will not occupy ground not indisputably within the limits of the United States. In case of necessity, whether the possession of the ground he may occupy is now or has heretofore been claimed by Mexico cannot be made a question by that officer; he will take it to perform his duties to the United States, and to fulfil the obligations of the United States to Mexico. The just and friendly purpose for which he does occupy it, (if he should do so,) being beforehand explained to Mexico, it is expected will prevent either belief or suspicion of any hostile or equivocal design on his part. It is not intended to be the assertion of a right of property or possession. Whether the post occupied shall prove to be in Mexico or the United States, it will be abandoned whenever the necessity ceases by the restoration of tranquility to that distracted neighborhood.

Mr. Forsyth avails himself of this occasion to renew to Mr. Gorostiza the assurances of his most distinguished consideration.

JOHN FORSYTH.

His Excellency SENOR DON MANUEL EDUARDO DE GOROSTIZA, &c.

No. 36.

*Mr. Forsyth to Mr. Gorostiza.*DEPARTMENT OF STATE,
Washington, May 10, 1836.

The undersigned, Secretary of State of the United States, having submitted the note of Mr. Gorostiza, Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, of the 9th instant, to the President, has now the honor, by his instructions, to reply.

The President did not expect that any orders given by his authority would have produced either surprise or regret in the mind of a representative of a friendly power. He observes, however, that Mr. Gorostiza has not perceived the peculiar force of the terms used by the authority of the Executive. General Gaines is not authorized to advance to Nacogdoches, but he is ordered not to go *beyond* that point. To Mr. Gorostiza the distinction may not seem to be so, but in the view of the President it is important; the terms used limit the authority given, and were chosen with the express intention to avoid misconstruction of the motive of the advance. To effect one of the great objects for which General Gaines is sent to the frontier, i. e. to fulfil our treaty with Mexico by protecting its territory against the Indians within the United States, the troops of the United States might justly be sent into the heart Mexico, and their presence, instead of being complained of, would be the strongest evidence of fidelity to engagements and friendship to Mexico. Nor could the good faith and friendship

of the act be doubted if troops of the United States were sent into the Mexican territory to prevent embodied Mexican Indians, justly suspected of such design, from assailing the frontier settlements of the United States. With the full explanation of the design of the movement as far as Nacogdoches, if it should be made, which it is hoped will not be necessary, the President did not apprehend that any room was left for dissatisfaction or complaint; and he thinks that the course Mr. Gorostiza has thought it his duty to pursue is the result of an apprehension of consequences that cannot ensue, if all the parties are just to the designs and pretensions of each other. Mr. Gorostiza's protest obviously springs from the idea that the advance of General Gaines is to be founded on a claim of territory by the United States, and hence his anxiety to argue the question of right to the possession of Nacogdoches and the territory in its vicinage. Contrary to his wish, the President finds himself compelled to require the undersigned to remind Mr. Gorostiza that Mexico is not in possession of the territory bordering on the United States, wherever the true line may be. Whether the Government of Mexico will obtain and can maintain possession of it, are questions now at issue by the most sanguinary arbitrament; until they are decided, the undersigned understands Mr. Gorostiza to maintain that the possession of Texas is the possession of Mexico, and that any advance upon the territory claimed as part of Texas by its self-constituted authorities, is considered essentially, and in its effects, a positive violation of the known territory of Mexico. The Mexican Government must be aware, that portions of the territory ever admitted to belong, as well as that claimed to belong to the United States, is represented in the Texian Government. The known territory of the United States is then now violated by Mexico, since the Government of Mexico is, upon the principle involved, responsible for this usurpation of a right over the jurisdiction of the United States, and this attempt to limit the extent of their territorial possession. This fact of itself would justify an advance of General Gaines to any point necessary to the vindication of the rights of the United States, or to retort an injury upon Mexico (or Texas, whichever is responsible) for the original wrong. But the President has not designed to vindicate a right or retort a wrong in the orders that have been given. He looks forward patiently to the period, which cannot be far distant, when the territorial rights of the United States, will, according to long existing stipulations, be authoritatively designated and marked by competent and trustworthy agents, so as to leave no room for further cavil and dispute; and in the meanwhile he desires to occupy no position by military force which the circumstances by which the general commanding the troops of the United States is surrounded, do not justify.

The undersigned is instructed further to reply to Mr. Gorostiza, that the claims of the United States are founded upon the treaty of limits, and are to be maintained by the treaty of limits. If the true demarcation according to that treaty has not been fully made known to Mexico, it is because there has been on the part of that Government a delay to proceed to the execution of that instrument. Questions belonging to the duties of the commissioners and surveyors, could not be properly presented or considered until they met to enter upon those duties. A correspondence between the United States and Mexico, for the adoption of the treaty of limits made between Spain and the United States, was no place to look for traces of the pretensions of the two Governments, founded on a construction of that instrument; nor were they likely to be found in the correspondence for the

additional article to provide for carrying that treaty into effect. It could only be when in the course of execution that the rival pretensions of the parties and the conflicting constructions could arise. To discuss them in advance, would have been useless, if not suspicious. It is not therefore surprising that Mr. Gorostiza should have risen from the perusal of the correspondence to which he refers, without accurate knowledge of the claims of the United States. The undersigned is constrained, however, to express his surprise at the apparent want of information on this subject, derivable from other sources, in the Mexican Envoy Extraordinary and Minister Plenipotentiary. The indication in Mr. Butler's note of the 21st December, 1834, was of itself sufficiently distinct to have elicited inquiry. If not made, it is presumed it was because the allusion was understood. Whatever may have been done or omitted prior to that time, it is certain that want of information on this point since November last, cannot be complained of by the Mexican Government. The undersigned had the honor to give to the Mexican Charge d'Affaires, Mr. Castillo, in a conference in that month, the most distinct intimation of the claims and expectations of the Government of the United States under the treaty of limits and the additional article, a conference which the undersigned has supposed was the chief cause of the subsequent extraordinary mission of Mr. Gorostiza to the United States.

The undersigned is instructed by the President to decline any discussion at present of the claims or pretensions of the United States to the territory in question. The appropriate occasion for advancing them is approaching. The United States are preparing and will hasten to be ready to execute in perfect good faith the treaty, according to the second additional article lately agreed upon, and they expect that Mexico will be equally prompt. Whatever the United States cannot maintain by reason and facts, according to a just construction of the treaty of limits, will not be insisted upon. In the mean time the undersigned is instructed to repeat in the most explicit terms, for the satisfaction of the Mexican Government, that the orders given to General Gaines were not given because the United States believed they had claims to the territory beyond Nacogdoches, nor with a view to assert, strengthen or maintain those claims, but simply and exclusively to prevent consequences likely to grow out of the bloody contest begun in that quarter, the end of which it is difficult to foresee.

The undersigned avails himself of this occasion to reiterate to Mr. Gorostiza the assurances of his most distinguished consideration.

JOHN FORSYTH.

His Ex. Sen. DON MANUEL EDUARDO DE GOROSTIZA, &c.

No. 37.

Mr. Forsyth to Mr. Gorostiza.

DEPARTMENT OF STATE,

Washington, April 11, 1836.

The Secretary of State, in reply to Mr. Gorostiza's note of the 10th inst. on the subject of the publication of the memorandum of the conference of the 20th of April, has the honor to inform him that the communication of the memorandum to a committee of Congress by the Department of

War, was made without the knowledge of the Department of State. That the memorandum has not been published by any branch of this Government, but has been made known incidentally through the public journals as a part of the proceedings of Congress. How far, under these circumstances, a compliance with Mr. Gorostiza's request to have the correspondence which grew out of the memorandum of the 20th April, made known is required by justice to Mexico, or her representative, is rendered unnecessary by the call which has just been made by the House of Representatives including that correspondence, which call will be answered as soon as the papers can be prepared. The Secretary of State hopes that in the meantime the well understood devotion of Mr. Gorostiza to his country will shield him from the effects of any injurious misconception.

The Secretary of State embraces this opportunity to offer Mr. Gorostiza renewed assurances of his most distinguished consideration.

JOHN FORSYTH,

His Excellency Senor Don MANUEL EDUARDO DE GOROSTIZA, &c.

No. 38.

DEPARTMENT OF STATE,
Washington, November 4, 183

SIR: It has become necessary for me to call your attention to the probable event of a contest between the different portions of the Mexican empire, in the vicinity of the United States. Some of our citizens may, from their connection with the settlers there, and from their enterprise and love of change, be induced to forget their duty to their own Government, and its obligations to foreign powers; but it is the fixed determination of the Executive faithfully to discharge, so far as its power extends, all the obligations of the Government, and more especially that which requires that we shall abstain, under every temptation, from intermeddling with the domestic disputes of other nations.

You are, therefore, earnestly enjoined, should the contest begin, to be attentive to all movements of a hostile character, which may be contemplated, or attempted within your district, and to prosecute, without discrimination, all violations of those laws of the United States which have been enacted for the purpose of preserving peace, and of fulfilling the obligations of treaties with foreign powers.

I am, sir, your obedient servant,

JOHN FORSYTH.

BENJAMIN F. LINTON, Esq.

United States Attorney, St. Martinsville, Louisiana.

Same to J. MILLS, *District Attorney, Boston.*

"	WM. M. PRICE,	"	<i>New York.</i>
"	HENRY D. GILPIN,	"	<i>Philadelphia.</i>
"	NATHAN'L WILLIAMS,	"	<i>Baltimore.</i>
"	JOHN FORSYTH, jr.	"	<i>Mobile.</i>

No. 39.

*John Forsyth to Mr. Brown.*DEPARTMENT OF STATE,
Washington, February 24, 1836.

SIR: I enclose an extract of a letter addressed to the President of the United States, and referred by him to this Department, relative to the enlistment of men at Nashville, for the Texas service, by a certain Major Miller. You are requested to satisfy yourself by proper inquiries, and should you find that either he, or any other person, has, in regard to the transactions therein referred to, violated the laws, you will, without loss of time, institute such proceedings as may be necessary to bring the offender to punishment.

It is to be presumed, however, that you will have done what your duty required, without waiting for instructions from this Department.

I am, sir, your obedient servant,

JOHN FORSYTH.

WILLIAM T. BROWN,
U. S. Atty, Nashville, Tennessee.

*Extract of a letter from W. H. Hunt, dated**NASHVILLE, February 10, 1836.*

"A certain Major Miller, of the Texas service, has recently been in this place obtaining recruits, and has enticed away young men, even when in debt to their employers, who would otherwise have complied with their engagements.

"In an instance of that kind, I have applied to the United States attorney for this district, who says he has received no instructions from you on the subject. I beg that you will immediately issue those instructions, as this course of the Texas recruiting officers is highly injurious to the citizens of the United States."

No. 40.

*Mr. Forsyth to Mr. Sanders.*DEPARTMENT OF STATE,
April 9, 1836.

SIR: It appears from an article of the western journals, containing what purports to be an extract of a letter of Felix Huston, Esq. of Natchez, that he is in the act of raising and equipping a volunteer company for military service in Texas.

You are requested to satisfy yourself by proper inquiries, and should you find that either he or any other person has, in regard to the transaction alluded to, violated the laws within the Kentucky district, you will institute such proceedings as may be necessary to bring the offender to punish-

ment. You will also see the laws enforced with respect to any other similar violation of the neutral relations of the United States.

I am, sir,

Your obedient servant,

JOHN FORSYTH.

LEWIS SANDERS, Esq.

U. S. Attorney, Frankfort, Kentucky.

Same to RICHARD M. GAINES, Esq.

U. S. Attorney, Natchez, Mississippi.

No. 41.

Mr. Forsyth to Mr. Grundy.

DEPARTMENT OF STATE,

April 9, 1836.

SIR: It has been represented to this Department that a volunteer company is in the act of being raised and equipped, at Nashville, for military service in Texas. This also appears from an article quoted, as having been published in the Kentucky Gazette.

You are requested to satisfy yourself, by proper inquiries, as to the truth of this representation, and should you find that any persons have, in regard to the transaction alluded to, violated the laws, you will institute such proceedings as may be necessary to bring them to punishment.

Enclosed is the copy of a letter, addressed on a similar occasion to your late predecessor, Mr. Brown.

I am, sir,

Your obedient servant,

JOHN FORSYTH.

JAMES P. GRUNDY, Esq.

U. S. Attorney, Nashville, Tennessee.

No. 42.

Extract of a letter from the Hon. John Forsyth, to his Excellency the acting Minister of Foreign Affairs of the Mexican Republic, dated Department of State, Washington, 29th January, 1836.

"The undersigned, Secretary of State of the United States, has had the honor to receive the note of the 19th November, 1835, addressed to him by the acting Minister of Foreign Affairs of the Mexican Republic, and avails himself of the departure of Mr. Ellis, recently appointed Chargé d'Affaires for Mexico, to transmit the answer to it which the undersigned has been directed by the President of the United States to give.

"Both the subjects of that letter had been already acted upon when the note of the acting Minister of Foreign Affairs of the Mexican Republic was received, and the President instructs the undersigned to express his conviction that the course which has been adopted, while it has been dictated by

a just regard to the interests of the United States, and his obligations under their laws, is entirely consistent with that sympathy for the Mexican Republic, and that anxiety for its prosperity, which the United States has ever professed and felt, and by which their intercourse with it has been uniformly regulated. As to the first subject of complaint, the principles which have governed the United States in the contest between Spain and the Spanish American States, and in the numerous internal contests in Spanish America, are too well known to require explanation. So soon as it was apparent that the dispute between Texas and the dominant party in the other Mexican States would be carried to extremities, and indications were observed of a desire in some of the citizens of the United States to take part in the struggle, all the measures in his power were adopted by the President to prevent any interference that could by possibility involve the United States in the dispute, or give just occasion for suspicions of an unfriendly design on the part of this Government to intermeddle in a domestic quarrel of a neighboring State. Notice was given to the Mexican Charge d'Affaires of the measures adopted, and the principles and course of the United States distinctly and fully, and the undersigned trusts satisfactorily, explained to him. This has certainly been duly communicated to his Government, and has, with equal certainty, satisfied the acting Minister of Foreign Affairs of the Mexican Republic that it is the determination of the Executive of the United States to employ every measure permitted by our own laws, for preventing, as far as possible, the injury a friendly nation might sustain from interference in a question entirely domestic. For the conduct of individuals which the Government of the United States cannot control, it is not in any respect responsible; and the Mexican Government well understands how far the funds, and the exertions and the combined efforts, of individuals may be made to contribute to the aid of parties in a foreign contest, without, in the slightest degree, implicating the Government of this country. The acting Minister of Foreign Affairs of the Mexican Republic must be aware that all this preceded any official communication of the character of the contest going on, or of the precautions and regulations adopted by either party to it in the assertion of their respective pretensions, and that, as yet, the United States have not been distinctly informed of those adopted by the Government of Mexico."

REPORT FROM THE SECRETARY OF WAR.

DEPARTMENT OF WAR, *May 14, 1836.*

SIR: In conformity with the resolution of the House of Representatives of the 10th instant, I have the honor to transmit copies of all the orders and instructions of this Department, and all the correspondence on its files relating to the defence of the western frontier of the United States.

Every measure taken, or authorized by the Executive upon this subject, is disclosed by these documents. Agreeably to your views of the resolution, I have not sent copies of the instructions from the Quartermaster General to the officers of his department, in order to execute the memorandum of May 9th, for that officer. They contain, merely, the usual official directions, in detail, for carrying the orders into effect.

Very respectfully,

Your most obedient servant,

LEWIS CASS.

The PRESIDENT of the *United States.*

No. 1.

WAR DEPARTMENT, *January 23, 1836.*

SIR: I am instructed, by the President, to request that you would repair to some proper position near the western frontier of the State of Louisiana, and there assume the personal command of all the troops of the United States who are or may be employed in any part of the region adjoining the Mexican boundary. It is not the object of this order to change at all the relations between yourself and the military departments under your command, but to require your personal presence at a point where public considerations demand the exercise of great discretion and experience. An order will be issued, without delay, to the sixth regiment to proceed to Fort Jesup, and this force, together with all the troops in the western part of Louisiana, and in the country west of the Mississippi, and south of the Missouri-rivers, will be employed, as occasion may require, in carrying into effect the instructions herein communicated to you.

The state of affairs in Texas calls for immediate measures on the part of the Government. It is the duty of the United States to remain entirely neutral, and to cause their neutrality to be respected. It is possible that the course of operations may induce one or other of the contending parties to approach the boundary line, with a view to cross it in arms. Should you find that the case, you will give notice to the persons having the direction, that they will not be permitted to cross into the territory of the United States: and if they attempt to do so by force, you will resist them with the means at your disposal.

The 33d article of the treaty with Mexico requires both the contracting parties to prevent "by force, all hostilities and incursions on the part of the

Indian nations living within their respective boundaries, so that the United States of America will not suffer their Indians to attack the citizens of the Mexican States," &c.

The provisions of this article you will cause to be faithfully enforced, and the various Indian agents, and officers of the Indian department in that region, will be required to furnish you any information in their power in relation to this matter, and to carry into effect any instructions you may give. You will make known to the various Indian tribes inhabiting that part of the United States, the determination of the Government to prevent any hostile incursions into Texas, and you will call upon the chiefs to inculcate upon all their people the necessity of carefully abstaining from any violation of the above mentioned engagement, and you will not hesitate to use the force at your disposal for the purpose of preventing any such designs.

Should you be called upon by the civil authority for any aid towards enforcing the laws having relation to the neutral duties of the United States, you will render such assistance as the laws prescribe.

You are requested to communicate freely with the district attorneys of both the districts of Louisiana on all points of law connected with the execution of the instructions, and those officers will be desired to give you their opinion.

I will thank you to keep me advised of any occurrences in that quarter, which it may be important for the Government to know.

Very respectfully,

Your obedient servant,

LEWIS CASS.

Maj. Gen. E. P. GAINES,

Memphis, Tennessee.

No. 2.

WAR DEPARTMENT, *January 25, 1836.*

SIR: I am instructed, by the President, to inform you that General Gaines has been ordered to the western frontier of Louisiana, to take the personal direction of the troops in that quarter. Should General Gaines desire your opinion in any point of law, connected with the execution of the duties he may be required to perform, under any act of Congress having relation to the neutral duties of the United States, the President desires me to request that you would furnish General Gaines with your opinion accordingly. A copy of the instructions to General Gaines is herewith enclosed.

Very respectfully,

Your most obedient servant,

LEWIS CASS

CARLTON, Esq. *District Attorney*

for the Eastern district of Louisiana, N. Orleans.

Same to

E. F. LINTON, Esq. *District Attorney*

for the Western dist. of La. St. Martinsville, La.

No. 3.

WAR DEPARTMENT, OFFICE INDIAN AFFAIRS,
January 25, 1836.

SIR: I am instructed to inform you that Gen. Gaines has been directed to proceed to some proper position near the Mexican boundary, and to take command of the troops in Louisiana, west of the Mississippi, and south of the Missouri rivers. One object of this movement is to prevent the infraction of the treaty with Mexico by the Indian tribes. He has been authorized to call upon the superintendents and agents of the Indian department for information and aid. You are requested to give him immediate notice if you perceive any design on the part of the Indians to make incursion into, and to attack the citizens of, the Mexican States. And you will please give similar instructions to each of the agents and sub-agents in your superintendency.

Very, &c.

ELBERT HERRING.

To Gen. WILLIAM CLARK,
Sup't Indian Affairs, St. Louis, Mo.

A similar letter to Capt. William Armstrong, Choctaw agency, west of the Mississippi.

No. 4.

HEAD QUARTERS, WESTERN DEPARTMENT,
Baton Rouge, March 29, 1836.

SIR: I have received, not until yesterday, an official copy of your letter of the 23d January last, by which I have the satisfaction to be informed that the President of the United States has been pleased to direct my immediate attention to the western frontier of the State of Louisiana, in order to preserve, if necessary, by force, the neutrality of the United States.

In obedience to this order, I have availed myself of the very first steamer conveyance that offered, after the receipt of the order, to proceed to Baton Rouge, to enable me to ascertain to what extent the arsenal there will furnish ordnance and ordnance stores, for the prompt and efficient discharge of the duties assigned to me—duties which derive great importance from the recent accounts of the sanguinary manner in which the Mexican forces seem disposed to carry on the war against our Texian neighbors. (See the accompanying newspapers.) Upon this point, I take leave to suggest whether it may or may not become necessary, *in our own defence*, to speak to the contending belligerents in a language not to be misunderstood—a language requiring *force* and military supplies that shall be sufficient, if necessary, for the protection of our frontier, to check the savage operations of each of the contending parties, who may forget to respect the laws of war and our neutral rights, until Mexico and the United States shall, by an adjustment of existing difficulties, put an end to the scenes of barbarism which cannot but endanger the peace and other vital interests of all the parties concerned; scenes of barbarism disgraceful to all who enact or tolerate them.

Should I find any disposition on the part of the Mexicans, or their red allies, to menace our frontier, I cannot but deem it to be my duty not only to hold the troops of my command in readiness for action in defence of our slender frontier, but to anticipate their lawless movements, by crossing our supposed or imaginary national boundary, and meeting the savage marauders wherever to be found in their approach towards our frontier. Should I err in this view of the subject, in which, however, I am convinced the laws of war and nations will bear me out, I shall be gratified to receive the views of the President, to which I shall scrupulously adhere. But if it be otherwise, if my own views are approved, I shall, in that event, have occasion for some mounted volunteers, with other forces sufficient to make my numerical strength equal to the estimated strength of the contending parties, which is now estimated at eight thousand to twelve thousand men. (8,000 to 12,000 men.) With a view to this possible contingency, I have already desired the fine legionary brigade, commanded by General Planche, of the city of New Orleans, *to calculate on the possibility of my having occasion to invite the legion to join me.* To this suggestion, the officers of the legion, with the gallant general at their head, cordially responded that they would, whenever it might be deemed necessary, promptly repair to the frontier, delighted with the opportunity of carrying into effect the wishes of the President, under whose immediate command many of these officers had distinguished themselves in the defence of their city and State, in the memorable triumphs of December, 1814, and January, 1815.

All which is submitted for the information of the President of the United States.

With profound respect,

EDMUND P. GAINES,

Major General Commanding.

To the Hon. LEWIS CASS,
Secretary of War.

P. S. I arrived at the city of New Orleans, at 7 o'clock, A. M. and departed therefrom on board this steam-boat at 7 P. M. yesterday, having taken my passage on board the steam-boat *Levant*, bound from New Orleans for Natchitoches, and to be at Baton Rouge, on the first of April, Friday next

E. P. G.

No. 5.

WAR DEPARTMENT, *April 25, 1836.*

SIR: Your letter of the 29th ultimo was received at the Department a few days since, but I have been prevented by indisposition from giving it an earlier answer.

I enclose for your information a copy of the memorandum of an official conference between the Secretary of State and the Mexican Minister, respecting the present state of affairs upon the southwestern borders of the United States. You will consider, as a part of your instructions, the declaration made by the Secretary of State, and govern yourself accordingly,

It is not the wish of the President to take advantage of present circumstances, and thereby obtain possession of any portion of the Mexican territory. Still, however, the neutral duties, as well as the neutral rights, of the United States, will justify the Government in taking all necessary measures to prevent a violation of their territory. Recent events induce the belief that the Mexican forces, as well as the inhabitants of Texas, must be in a high state of excitement. In that portion of the country, there are many Indian tribes whose habitual predisposition to engage in war, is well known, as is, also, their reckless disregard of any of the claims of humanity. And from information which has reached the Government, there is too much reason to believe, that efforts have been made to induce these Indians to join the Mexican troops. It may, therefore, well be, as you anticipate, that these various contending parties may approach our frontiers, and that the lives and property of our citizens may be placed in jeopardy. Should this be the case, the President approves the suggestion you make, and you are authorized to take such position, on either side of the imaginary boundary line as may be best for your defensive operations. You will, however, under no circumstances, advance farther than old Fort Nacogdoches, which is within the limits of the United States, as claimed by this Government. But you will please to observe, that this permission will not be exercised, unless you should find such an advanced position necessary, to afford due security to the frontier, in consequence of the unsettled state of things beyond you.

You will please to explain, fully, your views and instructions to any armed parties who may be marching towards you, and should they continue to threaten your position, or to manifest a design of crossing into the United States, you are authorized to attack and repel them.

I have this day, by direction of the President, requested the Governors of Louisiana and Mississippi, to call into service any militia force you may find necessary for the protection of the frontiers. This force must be called out for a term of not less than six months from the day they reach their rendezvous, to be discharged at any time by the United States. The necessary means will be furnished to the officers of the proper staff departments, for such supplies as may be required.

I need hardly say, that the duty committed to you is one of great importance, as well as of great delicacy: and I do not doubt it will be so executed as to preserve, on the one hand, the proper safety of the frontier, while, on the other hand, as little cause of offence as possible will be given to any foreign authority. I have to request that you would keep me regularly advised of your proceedings.

Very respectfully,

Your most obedient servant,

LEWIS CASS.

Maj. Gen. E. P. GAINES,

Fort Jesup, Louisiana.

No. 6.

DEPARTMENT OF STATE,

Washington, April 23, 1836.

SIR: In compliance with your request, I have the honor to transmit a memorandum of the substance of what I stated in an official conference on the 20th instant, with Mr. Gorostiza, Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic to the United States.

I have the honor to be,

Your obedient servant,

JOHN FORSYTH.

Hon. LEWIS CASS,

Secretary of War.

No. 7.

Memorandum for Mr. Gorostiza, of what was said to him by Mr. Forsyth, in their conference on the 20th of April, 1836.

Mr. Forsyth stated to Mr. Gorostiza, that, in consequence of the contest in Texas, the movements of some citizens of the United States on the Red river, and apprehended hostile intentions of the Indians in Mexico against the United States, and of the Indians within the United States against Mexico, orders would be given to General Gaines to take such a position with the troops of the United States as would enable him to preserve the territory of the United States and of Mexico from Indian outrage, and the territory of the United States from any violation by Mexicans, Texians, or Indians, during the disturbances unfortunately existing in that quarter, and that the troops of the United States would be ordered to protect the commissioners and surveyors of the two Governments, whenever they should meet to execute the instructions to be prepared under the treaty of limits between the United States and the United Mexican States. Should the troops, in the performance of their duty, be advanced beyond the point Mexico might suppose was within the territory of the United States, the occupation of the position was not to be taken as an indication of any hostile feeling, or of a desire to establish a possession or claim not justified by the treaty of limits. The occupation would be precautionary and provisional, and would be abandoned whenever (the line being run and the true limits marked) the disturbances in that region should cease, they being the only motive for it.

No. 8.

WAR DEPARTMENT, *April 25, 1836.*

SIR: I am instructed by the President to request that you will call into the service of the United States, upon the requisition of General Gaines, such portion of the militia of the State of Louisiana, (Mississippi,) as that officer may deem necessary for the protection of the western frontier of that State.

The term of service will be six months, to be computed from the day they reach their rendezvous, unless sooner discharged.

Very respectfully,

Your most obedient servant,

His Excellency E. D. WHITE,

Governor of Louisiana, New Orleans.

A similar letter sent to his Excellency Charles Lynch, Governor of Mississippi, at Jackson.

No. 9.

HEAD QUARTERS, WESTERN DEPARTMENT,
Natchitoches, Louisiana, April 8, 1836.

SIR: I arrived at this place on the 4th instant, since which time I have received information from various sources, which leaves no doubt in my mind that a considerable portion of several tribes of the Indians residing within our territorial limits have gone over to the Texas side of the boundary line between the United States and Mexico.

When to this fact is added the reports daily received at this place, that the army of Mexico, commanded by the President, St. Anna, in person, is rapidly approaching in this direction, through the centre of Texas; that his plan is to put to death all he finds in arms, and all who do not yield to his dictation; that as soon as he comes to the section of country accerpiied by the Indians in question, on the waters of the Trinidad, or Trinity river, they will unite with him in his war of extermination; and that no boundary line, save such as that they find properly guarded with an efficient force, will be sufficient to arrest the sanguinary career of these savages, I cannot but deem it *my duty to prepare for action.*

For this purpose I have requested of the Governors of Louisiana and Mississippi and Tennessee, each a brigade, and of the State of Alabama a battalion, making altogether three brigades and one battalion; the whole, or as many of them as practicable, to be mounted; to repair to this place as soon as may be convenient, by battalions or companies.

This force, though not equal in numbers to that which it may be my duty to meet in battle, will enable me at least to secure the confidence of the frontier settlements, and keep them at home to plant their crops; and, moreover, to enable me to inflict summary punishment on such of the enemy by whom they are now menaced, as may teach them to respect us, and in future to pay more regard than they seem now disposed to pay to our rights and treaties.

I shall, in the course of a few days, address to each one of the commanders of the armies in Texas, a note, calling their attention to their duties, and apprizing them of the course which I shall pursue towards them, in obedience to the orders of the President of the United States, should they approach our boundary, or suffer the Indians near them to commence hostilities. I have notified the Governors of the States, to whom I have applied for force, that, "should the war in Texas be brought to a close without the

apprehended Indian hostilities," the volunteers will, in that case, "be discharged forthwith."

I have the honor to be,
Very respectfully,

EDMUND P. GAINES,
Major General Commanding.

The Hon. LEWIS CASS,
Secretary of War, Washington City.

P. S. I enclose a copy of my letters to the Governors of the States above named.

No. 10.

HEAD QUARTERS, WESTERN DEPARTMENT,
Natchitoches, Louisiana, April 8, 1836.

SIR: The war in Texas, which has of late assumed a sanguinary and savage aspect, has induced the President of the United States to require a considerable augmentation of the regular force to be concentrated upon this section of the national frontier, to which my attention has been particularly directed. He deems it to be the duty of the United States to remain entirely neutral, and to cause their neutrality to be respected, *peaceably if practicable; forcibly if necessary.*

The thirty-third article of the treaty with Mexico requires both the contracting parties to prevent, "by force, all hostilities and incursions on the part of the Indian nations living within their respective boundaries, so that the United States of America will not suffer their Indians to attack the citizens of the Mexican States," &c. The provision of this article I am particularly instructed to cause to be enforced; and I have, pursuant to instructions, taken measures to make known to the various Indian tribes inhabiting that part of the United States bordering on the Mexican territory, on the waters of the Red and Arkansas rivers, the determination of the Government to prevent any hostile incursions into Texas; and have directed that the chiefs be called upon to inculcate upon their people the necessity of carefully abstaining from any violation of the above mentioned engagements; and I have moreover informed them, pursuant to the orders of the President, that *I will not hesitate to use the force at my disposal for the purpose of preventing such designs.*

I have learned from several of our citizens entitled to credit, that one Manuel Flores, a Mexican Spaniard, but for some years past a citizen of "Spanish town," in this State, near the Sabine ridge, has been lately commissioned by persons professing to act by the authority of the Mexican Government, for the purpose of enticing the Indians in the western prairies, on our side of the boundary line, to join them in the war of extermination now raging in Texas; and that, with this view, the agent, Manuel Flores, accompanied by a stranger, has lately passed up the valley of the Red river, and has already produced excitement among the Caddo Indians; and I have very recently learned from several intelligent persons in Texas, and others who have lately been there, that

many of our Indians have lately gone over to the Texas side of the line.

These facts and circumstances present to me the important question, whether I am to sit still and suffer these movements to be so far matured as to place the white settlements *on both sides of the line wholly within the power of these savages*; or whether I ought not instantly to prepare the means for protecting the frontier settlements, and, if necessary, compelling the Indians to return to their own homes and hunting grounds. I cannot but decide in favor of the last alternative which the question presents; for nothing can be more evident, than that an Indian war commencing on either side of the line will as surely extend to both sides, as that a lighted quick match thrust into one side of a powder magazine will extend the explosion to both sides.

But I am without *mounted men*, the only description of force which will enable me to interpose an effectual check to the daily increasing danger which every intelligent citizen, with whom I have conversed upon the subject, apprehends; and apprehending as I do, that the loss of a month, which it would require to submit the case to the decision of the President of the United States, might prove fatal to a large portion of the frontier inhabitants, I have determined to solicit of your Excellency a brigade, to consist of two or three battalions of volunteers, as many to be mounted as practicable, to repair to this place as soon as may be convenient, by companies or battalions; to receive their arms and camp equipage at New Orleans and Baton Rouge. There may be eight or ten companies to a battalion.

Should the war in Texas be brought to a close without the apprehended Indian hostilities, the volunteers will, in that case, be discharged forthwith.

With perfect respect,

I have the honor to be,

Your obedient servant,

EDMUND P. GAINES,¹

Major General Commanding.

To his Excellency the GOVERNOR OF LOUISIANA.
OF MISSISSIPPI.
OF ALABAMA.
OF TENNESSEE.

No. 11.

WAR DEPARTMENT,
May 4, 1836.

SIR: I have received your letter of the 8th ultimo, and in answer, have to inform you that the President will sanction the employment of whatever force may be necessary to protect the western frontier of the United States from hostile incursions. This Department has addressed the Governors of the States of Louisiana, Mississippi, Tennessee, Kentucky and Alabama, requesting them to call into service such militia force as you may find necessary in carrying into effect the instructions heretofore given to you. The theatre of operations is so distant from the seat of Government, that

much must be entrusted to your discretion. The two great objects you have to attain are, first, the protection of the frontiers; and secondly, as strict a performance of the neutral duties of the United States as the great object of self defence will permit. You will take care and do no act which can give just cause of offence to any other Government; and on the other hand, you will not permit the frontiers to be invaded by any forces whatever. I have to request that the militia you may call out, may not be more numerous than the exigencies shall seem to require. They ought to be called into service for six months, if practicable, to be disbanded whenever not wanted. And you will take care that all due economy is preserved, as well in your disbursements, as in the preservation and accountability of the public property. It is very necessary that you should communicate freely to the commanding officers of any military parties who may approach the frontiers, and inform them of the nature of your orders. You will state to them, that while you have been ordered to that quarter with a view to the execution of the neutral obligations of the United States, you have also been instructed to defend their territory from any invasion whatever; and that this duty will be executed under any circumstances that may happen. You will also remonstrate against the employment of any of the Indians. Although the dictates of humanity forbid the use of this species of force, which cannot be restrained, yet the right of the United States to remonstrate against its service, rests upon other grounds. From the habits and dispositions of the Indians, it is well known that the power employing them cannot restrain them within the legitimate rules of warfare. If they approach the frontiers, they will pay no regard to a mere imaginary line, but will carry on their depredations and massacres wherever inhabitants can be found, and where there is no force to oppose them. It is altogether idle to expect, that in such a state of things, the frontier settlements of the United States would not be exposed to these calamities. Whoever calls the Indians into service, and induces them to approach our border, cannot but be aware of the consequences that must ensue. All this you will represent to the proper officers, and you will use your best exertions to keep such a force from marching towards your position, and if they do so, to repel and disperse it.

Very respectfully,

Your most obedient servant,
LEWIS CASS.

Major General GAINES,
Fort Jesup, Louisiana.

No. 12.

WAR DEPARTMENT,

May 4, 1836.

SIR: Major General Gaines, to whom the command of the western border of Louisiana has been assigned, has notified this Department that he has called upon your Excellency for a brigade of militia, the whole, or as many of them as practicable, to be mounted.

I am instructed by the President to request your Excellency to call into the service of the United States, the number of militia which have been

or may be required by General Gaines, to serve not less than three months after their arrival at their place of rendezvous, unless sooner discharged.

Very respectfully,

Your most obedient servant,

LEWIS CASS.

His Excellency N. CANNON,

Governor of Tennessee, Nashville, Tennessee.

No. 13.

WAR DEPARTMENT,

May 4, 1836.

SIR: Major General Gaines, to whom the command of the western border of Louisiana has been assigned, has notified this Department that he has called upon your Excellency for a battalion of militia, the whole, or as many of them as practicable, to be mounted.

I am instructed by the President to request your Excellency to call into the service of the United States the number of militia which have been, or may be, required by General Gaines, to serve not less than three months after their arrival at their place of rendezvous, unless sooner discharged.

Very respectfully,

Your most obedient servant,

LEW. CASS.

His Excellency C. C. CLAY,

Governor of Alabama, Tuscaloosa, Alabama.

No. 14.

EXECUTIVE OFFICE,

Nashville, April 28, 1836.

SIR: The enclosed is a copy of a communication which I have just received from General Edmund P. Gaines, who holds the command of the western division of the United States. And I have felt it my duty to take measures forthwith, to raise and forward the brigade of volunteers he requires as speedily as possible, and feel very little doubt, that however inauspicious the season of the year may be, when our young men are generally closely engaged in their crops, as well as the horses, but in the course of a few days, or two weeks at furthest, there will be assembled here, or at such point as may be designated, a respectable mounted force, if not the whole brigade required, as the feelings of the people seem to be alive to their duty of entering the service of the United States, as required by this communication, which I have hastened to lay before you, as well as to inform you of the course I am pursuing, in order that it may be submitted to the President of the United States, and his views ascertained as speedily as may be convenient in relation thereto. Despatch seems to be important, and the mode and means of transporting these volunteers to Natchitoches, the head-quarters of General Gaines, is a matter, it seems to me, worthy of

some consideration. By water, with the aid of steam-boats, to tow a certain number of flat-boats, necessary to carry the horses, I have thought would be most expeditious. In the event the Cumberland should be too low, they should embark at Randolph or Memphis, and go as far up Red river as to enable them to obtain a land passage to their destination. At this time the Mississippi is unusually high, so as to inundate a large portion of the country on the west side, which circumstance renders a passage by land very difficult. Hence at present I am inclined to the opinion that their transportation by water should be preferred. I have required the volunteers to engage in the service for the period of six months, unless sooner discharged. To furnish themselves with horses and clothing, each company to elect their own officers. Each regiment its colonels and majors, and the brigade, in the event a whole brigade should assemble, to elect their brigadier general. It is expected that these volunteers will offer themselves, and be received from every section of the State, from east to west. Hence some expenses must be incurred in embodying them before they leave the State, as well as transporting them to the head-quarters of Gen. Gaines. In relation to which, as well as other matters touching the requisition made by the commanding general on me, and the course which I am now earnestly pursuing, for the purpose of promoting the service of our country, I shall feel much anxiety to learn, as fully as practicable, the views of your Department of the General Government; also the course required of me, in furnishing the transportation and subsistence to said volunteers that will be necessary, to any given point, or their destination, as you may deem expedient.

With great respect and esteem,

I have the honor to be,

Your obedient servant,

N. CANNON.

The Honorable LEWIS CASS, *Secretary of War.*

No. 15.

WAR DEPARTMENT, *May 9, 1836.*

SIR: I have received a letter from the Governor of Tennessee, in which he states that he has taken measures to call out the force required by you. He also states that he will call upon the volunteers to serve for six months unless sooner discharged. This course is correct upon the presumption that he will be able to obtain all the force required without resorting to draughting. But should not volunteers enough be obtained so that a call must be made upon the ordinary militia, the term for which they may be required to serve is restricted by law to three months. I have also written to the Governors of the other States upon whom you are authorized to make requisitions, advising them of this view.

The Quartermaster General has also been instructed to direct proper officers of his department to report to the several Governors upon whom you have made requisitions, in order to provide the necessary means for facilitating the movement of the troops.

Very respectfully,

Your obedient servant,

Major Gen. GAINES,

LEWIS CASS.

Fort Jesup, Louisiana.

No. 16.

Memorandum.

The Quartermaster General will select four officers, one of whom will report in person to the Governor of Tennessee, another to the Governor of Mississippi, another to the Governor of Alabama, and another to the Governor of Louisiana.

The Quartermaster General will examine the letters this day sent to the Governors of these States, and give his directions accordingly. These officers will be provided with the necessary funds, and will make all arrangements for facilitating the movements of the troops.

Such instructions as are required to guide them in the performance of their duties, so as to insure economy in the expenditures, and regularity in the settlement of the accounts, will be given by the Quartermaster General.

LEWIS CASS.

DEPARTMENT OF WAR, *May 9, 1836.*

No. 17.

WAR DEPARTMENT, *May 9, 1836.*

SIR: I have requested the Quartermaster General to direct an officer of his department to report to your Excellency, for the purpose of making the necessary arrangements for the embodying and the movement of the forces called for by Major General Gaines, in his letter to you of ultimo, which call was approved by the direction of the President, in my letter of the 4th instant.

This officer will be provided with whatever funds may be required in the performance of his duties. Should you find it necessary to resort to draughting, in order to complete the quota required, I presume that, agreeably to the provisions of the act of February 28, 1795, the term of service of the troops thus called out cannot be extended beyond three months, and this is the term stated in my letter to you of the 4th instant. When, however, the numbers are supplied by volunteers, I am not aware that there is any legal objection to their term of service reaching six months. And this arrangement is certainly more efficient and economical for the United States, and meets the approbation of the President.

You will be pleased, therefore, to have the volunteers engaged for the term of six months, unless sooner discharged. But if there should be any insuperable objection to this arrangement, they must be accepted for three months after their arrival at the place of rendezvous; with the right, however, to discharge them at any time previously.

Very respectfully,

Your most obedient servant,

LEWIS CASS.

His Excellency C. C. CLAY,

Governor of Alabama, Tuscaloosa, Alabama.

No. 18.

WAR DEPARTMENT, *May 9, 1836.*

SIR: I have had the honor to receive your letter of the 28th ultimo, and, in answer, beg leave to state, that my letter to you of the 4th instant, will have conveyed to you the approbation of the President of the call made upon you by Major General Gaines for a brigade of volunteers or militia. Should you find it necessary to resort to draughting, in order to complete the quota required, I presume that, agreeably to the provisions of the act of February 28, 1795, the terms of service of the troops thus called out, cannot be extended beyond three months, and this is the term stated in my letter to you of the 4th instant. Where, however, the numbers are supplied by volunteers, I am not aware that there is any legal objection to their term of service reaching six months. And this arrangement is certainly more efficient and economical for the United States; and the President approves it. They will, however, be liable to be discharged at any time when their services are not wanted.

In order to relieve the difficulties which present themselves in the raising and marching of these troops, the Quartermaster General will immediately despatch an officer of his department, provided with the necessary funds, and charged with the duty of making the arrangements required upon this occasion. He will be directed to call upon your Excellency, and procure all the information necessary to enable him to perform his duty.

Very respectfully,

Your most obedient servant,

LEW. CASS.

His Excellency N. CANNON,
Gov. of Tennessee, Nashville, Tenn.

No. 19.

WAR DEPARTMENT,
May 10, 1836.

SIR: I have requested the Quartermaster General to direct an officer of his department to report to your Excellency, for the purpose of making the necessary arrangements for the embodying and movement of the forces called for by Major General Gaines, in his letter to you of ultimo, which was approved, by direction of the President, in my letter of the 4th instant.

This officer will be provided with whatever funds may be required in the performance of his duties. In my previous letter to you, I requested that the troops might be called out for the term of six months, unless sooner discharged. This term you will be good enough to consider as applicable to volunteers, of which species of force I presume enough will turn out. Should you find it necessary however to resort to draughting to complete the quota required under the provision of the act of February 28, 1795, the term of service of the troops thus called out cannot be extended beyond three months.

You will be pleased therefore to have the volunteers engaged for the term of six months, unless sooner discharged; but if there should be any insuperable objection to this arrangement, they must be accepted for three

months after their arrival at the place of rendezvous; with the right however to discharge them at any time previously.

Very respectfully,

Your obedient servant,
LEWIS CASS.

His Excellency E. D. WHITE,
Governor of Louisiana, New Orleans.

No. 20.

WAR DEPARTMENT,
May 10, 1836.

SIR: I have requested the Quartermaster General to direct an officer of his department to report to your Excellency, for the purpose of making the necessary arrangements for the embodying and movement of the forces called for by Major General Gaines in his letter to you of ultimo, which was approved, by direction of the President, in my letter of the 4th instant.

This officer will be provided with whatever funds may be required in the performance of his duties. In my previous letter to you, I requested that the troops might be called out for the term of six months, unless sooner discharged. This term you will be good enough to consider as applicable to volunteers; of which species of force, I presume enough will turn out. Should you find it necessary, however, to resort to draughting to complete the quota required under the provision of the act of February 28, 1795, the term of service of the troops thus called out, cannot be extended beyond three months. You will be pleased, therefore, to have the volunteers engaged for the term of six months, unless sooner discharged. But if there should be any insuperable objection to this arrangement, they must be accepted for three months after their arrival at the place of rendezvous; with the right, however, to discharge them at any time previously.

Very respectfully,

Your obedient servant,
LEW. CASS.

His Excellency CHARLES LYNCH,
Governor of Mississippi, Jackson, Mississippi.

No. 21.

WAR DEPARTMENT,
May 12, 1836.

SIR: The President is very solicitous that you should act cautiously in carrying into effect your instructions, and do nothing which can compromise the neutral relations of the United States. Your great objects, as I have before stated to you, are to defend our frontier, and to fulfil the neutral obligations of the Government. If the Indians are not employed immediately upon the borders, there will be no need of your advancing beyond the territory heretofore in the actual occupation of the United States, unless

armed parties should approach our frontiers so near as manifestly to show that they mean to violate our territory. Such a state of things is scarcely to be anticipated from either of the contending parties in Texas ; but it is otherwise with the Indians. In the excitement of war they will not be restrained by boundary lines, but will seek scalps wherever they can find them. The whole history of the employment of Indians in the contests between civilized communities proves this fact. It was principally with a view therefore to this state of things, that you were authorized to cross the line dividing the country actually in the occupation of the United States, from that heretofore in the possession of Mexico, if such a measure be necessary for the defence of the frontier. But I must impress upon you the desire of the President, that you do not advance unless circumstances distinctly show this step is necessary for the protection of the district of our country adjoining the scene of operations in Texas. And should you find it necessary to advance, you will not fail to communicate to any armed parties in the country your orders and objects. But you will, under no circumstances, co-operate with any of them, or suffer any of them to join you ; nor interfere, in any manner, with any military operations in Texas, except such as may be necessary for self defence.

Should you pass beyond the above mentioned boundary line, you will return as soon as the safety of the frontier will permit.

Very respectfully,

Your obedient servant,

LEW. CASS.

Major General GAINES,

Fort Jesup, Louisiana.

No. 22.

NEW ORLEANS, LA. *April 25, 1836.*

SIR : I arrived here the day before yesterday ; it was not long after my arrival that I had the honor of seeing his Excellency the Governor of the State and learned from him that General Gaines had made a requisition ~~on him~~ for a brigade of volunteers, partly to be mounted and partly on foot. This force the General deemed necessary to be employed in checking the Caddo Indians, whom, he had been informed, were about entering Texas, to act against the citizens of that State under the auspices of the Mexican authorities. The Governor, examining the laws in reference to this call of General Gaines, conceived that he was not authorized by the laws of Louisiana, or those of the United States, to furnish the force called for ; nor did he, from the information he had obtained, believe it necessary to send to the frontiers of the State any troops, as the country was not invaded, nor likely, in his opinion, to be invaded ; and further, was impressed with the belief that it was a scheme of those interested in the Texian speculations, who had been instrumental in making General Gaines believe that the Mexican authorities were tampering with the Indians within our boundaries, and at the same time exciting, by false representations here, the sympathies of the people in favor of the Texians, with a view of inducing the authorities of the United States to lend their aid in raising in this city a force composed of interested persons, which force should move to the

Texian frontiers, under the call of General Gaines, and afterwards, under false pretensions, actually march into Texas and take part in the war now raging between the Texians and the Government of Mexico; and all this at the expense of the United States, and consequently with the implied sanction of the Government. Thus giving to the people of Texas the hope of relying on the Government of the United States for their protection and support, and to the Government of Mexico a positive evidence that the United States were actually engaged, contrary to the treaty stipulations, in a war against that Government.

If I understand the instructions of General Gaines, as communicated to him before I left Washington, it was his duty to see that the treaty stipulations with Mexico were fulfilled; and further, that, as it regarded the contending parties, to preserve a perfect neutrality.

I met here Colonel Darrington, who was formerly in the army, and who gave me the information which you will find in the enclosed printed paper marked A. He is of the opinion that the Caddo Indians cannot be concerned in attacking the Texians, and that they are but few in number and quite insignificant.

General Gaines has at his disposal the 3d, 6th and 7th regiments of infantry, and the whole of the regiment of dragoons, which I should think sufficient, if he will properly dispose of them, to enable him to fulfil his instructions without calling for the brigade of volunteers from Louisiana.

From what I can discover, it appears to me that it would be better to extend our military establishment at once to 20,000 men, instead of 10,000, as it has been proposed. The conduct of the Seminoles will have its influence with the other nations and tribes, and knowing the restlessness of the Indians, and their proneness to war, I am persuaded it will be most prudent as well as most economical to raise and keep up at once a force capable of effecting promptly any course proper to be pursued towards the Indians or blacks, in case of insurrection, and at the same time to defend the maritime frontier against foreign attack.

I have the honor to be,

Very respectfully,

Your obt^d serv^t.

ALEX. MACOMB,
Maj. Gen. Com. in Chief.

HON. LEWIS CASS,
Secretary of War.

A.

FROM TEXAS.—“Col. Darrington informs us that Gen. Houston was encamped on the west of the Brassos, at Groce’s, a very strong position, with an aggregate force of about 2,500 men, and daily increasing. The troops were also in high spirits. The Mexican army on the 2d of April, were at Bastrap, on the Colorado. Texas is broken up, and all the women and children are fleeing, and in the most deplorable condition. The inhabitants of Natchitoches have subscribed largely, and sent many supplies for the relief of the fugitives. On the 14th April, Nacogdoches was safe, but deserted. On the 1st April, Col. Darrington left the body of fugitives in the fork between Navasoto and Brassos, in Robinson’s colony. The Indians are openly hostile in the neighborhood, and should the Navasoto

continue up, the inhabitants are at the mercy of the Mexicans, should they appear on the San Antoine road. Idle rumors, says our informant, have done more to the injury of Texas, than the horde of Mexicans have done. Gen. Gaines was encamped in Wilkinson's old camp, east of the Sabine, with a force estimated at about 600 men. As to the gathering of the Indians on the Sabine, Col. Darrington says he knows nothing, and thinks there is no cause for the destruction and breaking up of Nacogdoches.

"He met between the Sabine and Brassos, 500 men on their way to Houston's camp."

No. 23.

ADJUTANT GENERAL'S OFFICE,
Washington, May 14, 1836.

SIR: Agreeably to your instructions, I respectfully submit herewith copies of all orders and instructions issued through this office relative to the defence of the western frontier, required by the resolution of the Senate of the 10th instant.

I am, sir, very respectfully, your obedient servant,

R. JONES, *Adj't Gen.*

Hon. LEWIS CASS,
Secretary of War.

Extract.

No. 24.

"ADJUTANT GENERAL'S OFFICE,
Washington, January, 22, 1836.

SIR: Your communication of the 5th instant is this day received and submitted to the General in Chief, and I have the pleasure to inform you that your proposed tour to the southern and eastern portion of your command is approved.

I am instructed to inform you, however, that the state of affairs *west* of the Mississippi may soon require your attention; if not your presence, in that quarter; accordingly, you will be pleased to await orders and instruction at New Orleans.

R. JONES, *Adj't Gen.*

For Maj. Gen. GAINES,

Commanding Western Department U. S. A. New Orleans, La."

The residue of the letter relates to operations in Florida.

R. J.

No. 25.

*Extract from general order No. 9, dated "Head quarters of the Arm
Adjutant General's Office, Washington, 25th January, 1836."*

"1. The 6th regiment of infantry will be prepared to move from Jefferson Barracks to Fort Jesup, Louisiana, as soon as the season and navigation will permit. Brevet Brigadier General H. Atkinson will see the execution of this order as to the time of departure of the regiment, but will remain at Jefferson Barracks, and continue in his present command. Surgeon Findlay and Assistant Surgeon Hughey will proceed with the regiment to Fort Jesup.

R. JONES, *Adj. Gen.*

The residue of the order relates to operations in Florida.

R. J.

No. 26.

ADJUTANT GENERAL'S OFFICE,
Washington, March 10, 1836.

SIR: In consequence of the unexpected detention of Major General Gaines, in Florida, you will repair to some proper point in Louisiana, near the Mexican frontier; and take command of all the troops in that quarter. You will be governed by the instructions of the Secretary of War, Major General Gaines, under date of January 23d, a copy of which is herewith transmitted for your guidance.

It may be proper to inform you, that the duty to which you are now assigned may be only temporary, as it is probable that Major General Gaines will now soon repair to Louisiana, and there assume the duties pointed out in the instructions of the Secretary of War, above referred to.

I am, sir,

With great respect,

Your obedient servant,

R. JONES.

Adj. Gen.

Brig. Gen. M. ARBUCKLE, *comdg. S. W. Dept.*
Fort Gibson, Ark. Ter.

No. 27.

HEAD QUARTER'S THIRD INFANTRY,
Fort Jesup, March 12, 1836.

SIR: The enclosed communication was sent to me, with a request that I would forward it to the President of the United States. From the best information to be obtained, I believe that the contents of the letter are true.

Very respectfully,

Your obedient servant,

JAS B. MANY,

Col. Third Inf'y.

Brevet Brig. Gen. R. JONES,
Adj. Gen. U. S. A. Washington, D. C.

NEAR CROW'S FERRY, LOU.

March 11, 1836.

DEAR SIR: The undersigned being personally known to you, take this hurried opportunity while upon our way to Texas, to write you, that you, as the head of the army of the United States, may have such information therein as we have come this moment in possession of, it is this:

A Mr. Wm. Palmer, a gentleman who we learn to be of truth, living in the vicinity of Fort Jesup, informed us that a blank commission came on a few days since from General Santa Anna, to a citizen of the United States of that neighborhood, authorizing him to proceed to the Indians up Red river, and stir them up to attack the upper settlements of Texas; that soon after this a Spaniard arrived at the house of this individual from the interior; and they went off, it is supposed, to effect General Santa Anna's views.

Such as it may become your duty to act in this matter is best known to yourself.

Permit us to subscribe ourselves most respectfully,
Your obedient humble servants,

THO. JEF. GREEN.

To the PRESIDENT of the United States.

Copy of endorsement by the President on the foregoing letter.

Referred to the Secretary of War, that he cause orders to be forthwith given to the commanding officer at Fort Jesup, to arrest all individuals who under the orders of General Santa Anna, are engaged in exciting the Indians to war, and to notify all concerned that all his military force will be employed to put it down or support our neutrality.

A. J.

No. 28.

ADJUTANT GENERAL'S OFFICE,
Washington, April 11, 1836.

SIR: I enclose herewith, by direction of the Secretary of war, a copy of a letter addressed to the President by Thomas J. Green, Esq. dated Crow's Ferry, Louisiana, March 11, communicating certain intelligence touching the alleged interference of the Mexican Government with the Indians of Red river, to which your attention is specially directed. The President desires that you take all lawful measures to arrest any person who, under the orders of the Mexican authority, may be engaged in exciting the Indians to war; and that every proper effort be used, to discover and detect such unjustifiable project, if any be attempted, and that, in maintaining our neutrality on the southwestern frontier of Louisiana, in the quarter you have already been assigned to duty, under the instructions of the Secretary of War, heretofore communicated to you, that you employ, if necessary, the force which has been placed at your command. The letter from Mr. Green to the President, was forwarded by Col. Many, under cover to the Adjutant General.

I am, sir, with great respect, your obedient servant,

R. JONES, *Adj. Genl.*

Major Gen'l. GAINES, *or com. officer of the
troops on the western frontier of Louisiana, Fort Jesup.*

No. 29.

HEAD QUARTERS, SOUTHWESTERN FRONTIER
Fort Gibson, April 12, 1836.

SIR: I have the honor to acknowledge the receipt of your letter of 10th ultimo, and its enclosure, directing me to repair to Louisiana near Mexican frontier, which I will comply with, without delay, after having closed my duties at this post, which I will do as soon as possible.

With much respect, I am sir,

Your obedient servant,

M. ARBUCKLE, *Brevet Brig. Gen. Com.*

To Brig. Gen. R. JONES,

Adjutant General.

No. 30.

ADJUTANT GENERAL'S OFFICE,
Washington, April 26, 1836.

SIR: As the services of the dragoons may be required during the summer on the western frontier of Louisiana, it becomes necessary to vary the annual tours usually performed by the regiment. It is left to your discretion, however, to make short excursions with the squadron under your command, taking care not to be so distant, at any time, from Fort Leavenworth, as not to be able to receive and promptly obey any orders of Major General Gaines, should he deem it necessary to direct the squadron under your command to join him on the western frontier of Louisiana.

I am, sir, very respectfully,

Your obedient servant,

R. JONES,

Adjutant General.

Captain M. DUNCAN,

Dragoons, commanding Fort Leavenworth.

No. 31.

ADJUTANT GENERAL'S OFFICE,
Washington, April 26, 1836.

SIR: As the services of the dragoons may be required during the summer on the western frontier of Louisiana, it becomes necessary to vary the annual tours usually performed by the regiment. It is left to your discretion, however, to make short excursions with the squadron under your command, taking care not to be so distant, at any time, from Fort Gibson as not to be able to receive and promptly obey any orders of Major General Gaines, should he deem it necessary to direct the squadron under your command to join him on the western frontier of Louisiana.

I am, sir, very respectfully,

Your obedient servant,

R. JONES,

Adjutant General.

Captain E. TRENOR,

Commanding squadron of dragoons, Fort Gibson,

No. 32.

ADJUTANT GENERAL'S OFFICE,
Washington, April 27, 1836.

SIR: I respectfully enclose herewith copies of my communications of yesterday's date, to the commanding officers of the squadrons of dragoons stationed at Forts Leavenworth and Gibson, by which you will see that these troops will be held in readiness to join you on the western frontier of Louisiana, should you decide that the interest of the service would make it necessary for you to order them thither.

With regard to the Secretary of War's communication to you of the 14th instant, I am desired by him to say, that he has omitted any special reference to the legionary brigade, commanded by General Planche, of the City of New Orleans, as his request to the Governor of Louisiana to call into service any portion of the militia you may deem necessary for the protection of the western frontiers of Louisiana, includes the authority, and, of course, secures to you the aid of this legion and of any other militia in the State of Louisiana you may require.

I am, sir, very respectfully,

Your obedient servant,

R. JONES,

Adjutant General.

Major General E. P. GAINES,

Commanding western department, Fort Jesup.

